THE COMMONWEAL

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FEDERAL CRIME LAWS

A DOZEN new bills have been transmitted to Congress by Attorney General Homer S. Cummings which are aimed to facilitate the co-operation of the forces of the federal government with the states for the prevention of crime and the apprehension of criminals. Some of the bills have been discussed in previous sessions of Congress. Others are the result of the investigations of the Senate Committee on Racketeering. This committee, consisting of Senators Copeland, Vandenberg and Murphy, ably assisted by Assistant Attorney General Joseph B. Keenan who has led the drive of the Justice Department against kidnapers, has been taking evidence throughout the country. It has sought competent advice on the problem of reducing the lawlessness with which this country is afflicted. With these sources, the bills were framed by the Department of Justice, upon which department would fall the duties of carrying out most of the provisions of the bills. In a sense, therefore, they are administration measures and, while there may be minor alterations in them in their passage through Congress, it is likely that they will soon be adopted.

Two general considerations with regard to them lead us to give our support to the measures and to urge their adoption. The first of these is simply that any aggressive, positive action taken to reduce the crimes of racketeering, kidnaping, bank robbery and murder, is just so much to the good. It is against crimes of this type that the bills are principally directed. There can be no question about the desirability of suppressing crimes of this type. They are beyond any of the divisions of opinion between reasonable and respectable persons that characterized, for instance, prohibition enforcement.

The second consideration which leads us to believe that an extension of the police powers of the federal government would be desirable, is not so simple as the first. It involves one of the principal reasons why the apprension of criminals in this country compares so unfavorably with that in England. This is that a criminal, given modern means of transportation, can make his get-away to a region remote in fact and in law from the scene of his crime so easily in this country. State frontiers are not patrolled either by customs

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guards or police officers. Any speeding automobile of the thousands moving unmolested, as they should be, along our arterial highways, can be carrying desperadoes armed with sub-machine guns, fresh from a crime.

Into this picture enters here a highly legalistic demarkation of police and court jurisdictions. Not only are there police precincts and court jurisdictions which limit the operation of police and court powers, but also state lines generally circumscribe the quick and free operations of most of the police powers. The work done by the police in the face of the difficulties they have to overcome, not the least of which is official and public indifference when they have to work outside of their own special territories, is really amazing. As in so much of our legal procedure where all the onus of proof is put upon the prosecution, in this case of localizing of police efforts, the obstacles are all in the way of the pursuing law rather than in the way of the pursued.

Under the provisions of the new federal laws, however, almost any interstate ramification of a crime would bring it within the purview of the federal forces. These forces, trammeled as they are today with restraints on their jurisdictions, are yet generally acknowledged to strike the greatest terror in the breasts of the criminals whose activities are not confined to local rackets and petty larcenies. They have been most effective in apprehending—and therefore, we may hope, in curbing—the kidnapers who have been the latest in the long list of enterprising American criminals to plague this country. They have the methods and experience of mobility, of pursuing as fast and effectively as the criminals can escape.

"Roving criminals," declares the Justice Department's summary and description of its crime bills, "bent upon the commission of various types of predatory crimes, constitute a growing menace to law and orderly government. Instructed by experience and by certain types of unscrupulous attorneys, these outlaws thrive in the twilight zone between state and federal authority. . . . The bills above referred to are not intended to invite the political subdivisions of our country to refer their own problems of law enforcement to the federal government. The detection and suppression of crime is and for the most part must remain a state or local obligation. Serious consideration must be given, however, to the development of supplementary laws, clearly within constitutional limits, which will strengthen the arm of the law-enforcing agencies of the country upon the basis of more efficient cooperative action."

To these general principles, for the reasons which we have stated, we believe there should be no opposition. As far as it lies within the power of editorial judgment not specifically legal in its background and experience to determine from the descriptions of the new crime bills, we believe they are calculated to do harm only to those who are bent on vicious and violent assaults on the peace of their fellow men.

The only one of the bills that rather falls outside of the considerations we have detailed is one that is aimed to tax out of existence, as the Harrison anti-narcotic act seeks to prevent the importation and distribution of harmful drugs, the importation of foreign manufacturers of lethal weapons, such as sub-machine guns and various types of automatic pistols. In a recent issue of THE COMMONWEAL, an article on the business in armaments revealed incidentally that since American manufacturers of machine guns had cooperated with the government in keeping their wares from the gangsters, foreign manufacturers had stepped in and supplied the demand. The machine gun used in the Urschel kidnaping was found to be an instance of this. The bill aimed to remove this particular menace, therefore, would seem to be no exception to the others in deserving to be put promptly into effect.

WEEK BY WEEK

Mr. Lindbergh Sins

NOTHING worse can happen to the President of the United States than a halo. It invariably means ruin or worse; and the people who see it on him grow positively unfit for endurance. We were frankly alarmed at the event of the week—the summary manner in which the air mail contracts were tossed into the waste-basket, and the petty irritation which announced that Colonel Lindbergh's letter asking for a fair hearing was released to the press before reaching the White House, thereby doing damage to etiquette. The entire proceedings whereby commercial aviation was suddenly consigned to the pillory for immorality while the army was ordered to deliver the nation's mail were almost fantastically ridiculous. Nobody denied that some money had been made in aviation stocks, just as (we hope) nobody would have denied that some money was recently made in silver or wheat. The real point was whether the gains were ill-gotten, and this no one could know. But in a jiffy the good old army has been hurried to the rescue, calling to mind the general at Fontenoy who summoned up his last reserve his latest chance to try. If only Washington, if only federal government agencies, are fit to do anything, the country is in such a bad way that even the new deal looks pretty discouraging. Fortunately the halo proved as yet flitting and novel. A nation-wide sprinkle of satirical remarks relieved some of the tension about etiquette, and as we write it begins to look as if the army will soon be back at target practise—where it belongs. Meanwhile one can suffer no great harm from remembering that American government is

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as yet neither so efficient nor so dependable that it can be relied upon to do very much more than attend to its own business. The time when it can attempt more may come, but there is not much proof of its having arrived as yet.

BELGIUM had two great war heroes, the one a king, the other a prelate. There is a singular romance in the way both played their parts. Albert came of vigorous, somewhat taciturn stock; and it is not recorded of him that he ever impressed anyone with an utterance. His regal gesture, however, brought conviction—the simplicity with which he reached for a sword to ward off the strongest aggressor of modern history, and stood his ground unflinchingly during four terrible years. The other, the Cardinal, was a man of speech and of the written word, a man of peace but not of peace at any price. Today, when the two are joined in death, the most poetic of the few war episodes which appeal strongly to the imagination seem to merge once again into the symbol of Belgium. Whatever practical and material reasons may have determined the decision taken in 1914, there is no doubt that the spirit in which that decision was carried out echoes Sparta and young Rome. The world which surrounded Albert when he died was distraught and chaotic, but distinguished none the less by reason of a tangible hunger for leadership. It is in following great men that the peoples of Europe are now resolved to live and die. But would his simple, genuine virility suffice? Or is the mirage of "leadership" now afloat before so many eyes just a creation of minds incapable of reverencing anything less florid and fantastic than a demagogue?

King Albert

NEWS of interest to the nation at large is the appointment of what is virtually an interdenominational Municipal Housing Authority for New York City. This group, set up by the Mayor in accordance with recent state enabling legislation, will be empowered to disburse $25,000,000 allocated by the Federal Public Works Administration for slum clearing and low-cost housing in the metropolis. As everyone knows these are moot and difficult problems. While everyone is willing to admit that dilapidated tenements without decent hygienic facilities are a menace to the health and order of society, it has been found puzzling to replace them with better buildings for which poor tenants can afford to pay rent. The trim new apartments lure dwellers who have hitherto been compelled to deal at higher figures with private landlords, thus also increasing the burdens which now rest so heavily on the taxed property owner. But there is a way out of these difficulties, and we feel sure that New York will find it. The members of the new committee are all persons with wide experience, and the majority have served on New York's Slum Clearance Committee, which has for some time been engaged in extensive research.

New York and Housing

THE CATHOLIC member of the Housing Authority is the Reverend Edward Roberts Moore, whose work as Director of Social Action, New York Catholic Charities, has been noted everywhere. Father Moore may be said to have established new standards for the scientific Catholic worker in the welfare field. When asked to comment upon the new job now to be undertaken, he said that he would very much prefer to make no remarks but agreeably consented to declare: "It is a great privilege but also a very sobering responsibility which has been conferred upon us. What private enterprise has failed to do, public action now makes possible—a first step toward slum clearance and low-cost housing. But remember, it is only a step, and one beset by many problems not easy to solve. All that I feel is that the members of the authority should at this time promise their best efforts. And in return I feel that they have a right to ask, from the press and from the public, patience, understanding and cooperation." We think that Father Moore's associates will second this motion.

THE STATISTICS on unemployment in England, linked with the statistics on that country's unmistakable trade revival, make significant reading. It is conjectured by some students that over half a million industrial workers in the island will remain permanently unemployable, even if trade improves to any maximum that may reasonably be expected. That is, this number represent the surplus of labor in England, which industry can never reabsorb under present laboring conditions. The special correspondent of the New York *Times,* studying the cases of mill and factory towns like Sheffield, Manchester and Birmingham, finds that this point is tragically borne out even in the face of the marked increase in confidence and output. In Sheffield, for instance, where the revival has been almost dramatic, and the steel mills are going at capacity, nearly fifty thousand—close to one-tenth of the population—are wholly dependent upon unemployment benefits; and more than an equal number subsist on charity. The same authority suggests that intelligent labor leaders are pondering the example set by the American NRA, of spreading the work by cutting the working week —at present forty-seven hours in the steel industry. It is evident that there is considerable pri-

Permanently Unemployable

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vate support for this project, of the solid rather than the radical sort, in spite of the mass opposition from financiers and industrialists. Whether some future Labor administration will enlist this support effectively for so drastic a measure, or whether the opposition will avail, is an absorbing question. It must be especially absorbing to the workers who have not worked for years, who cannot fit arithmetically into the present schedule of working hours, and who will no longer be received by the colonies as immigrants.

Political Parties

DAVID LAWRENCE'S suggestion in his *United States News* that the Republican party should be liquidated and that its stalwarts together with some of the mugwump millions who voted for President Roosevelt in 1932, reconstitute themselves as the Constitution Democratic party, probably will cause more feelings of slight nausea and impotent irritation than of joyous acquiescence among those whom he particularly addresses. Former Governor Smith, Governor Ritchie, Senator Glass and Senator Gore, he invites to forsake their present affiliations and to sponsor the new party. "These men have enunciated the doctrines of a new leadership," Mr. Lawrence declares. "If they are mere partizans, they will stick to the so-called Democratic party. If they are ready to take the sacrifice on the basis of principle, they will forget all considerations but the development of an alternative party which can act as a balance wheel to the Socialist Democratic party—for this in fairness ought to be the name of the party now in charge of the government—and prepare to take over the leadership some day when 'the' new deal gets to the edge of the precipice and the public clamors madly for sound government, sound currency and practical men at the helm. It may even happen that such a new party will some day find Franklin Roosevelt moving toward it and away from his socialistic comrades."

DAVID LAWRENCE is too experienced and astute a political reporter to indulge in wholly irrelevant day-dreams; nevertheless, there is a good deal of wishfulness in his plan. Mr. Hoover, Mr. Mills and Mr. Wadsworth, to mention only three responsible Republicans, are hardly likely to jump at the idea and anyone who thinks that Mr. Hoover, whose name has been somewhat lacking from the headlines since the new dealers have done so much to make first-page news, has not his faithful, whole-hearted supporters still in more than negligible numbers and in positions of influence, is due to be rudely awakened. It is still true that as regards the masses of American citizens, the Republican party is now at one of its all time lows. The split in the New York state party between the followers of the progressive Mr. Macy, state chairman, and the up-state old guard supporters of Mr. Machold who is alleged to be a pawn of the power trust; the death of Mr. Vare in Pennsylvania and the political antics of Governor Pinchot, the alliance of Senator Reed with the American Legion bonus forces for fairly transparent and hardly palatable reasons, the desuetude of "Puddler Jim"; the mugwumping of Senator Johnson in California and the unsuccessful and unpopular attempt of the Republican machine in Cincinnati to overthrow the city manager government there, reflecting on the popularity of the party in the state of Ohio as a whole; indicate that, while the Democratic party may not be perfectly united, the Republican is certainly showing gaping breaches in its once impressive organization. It might be opined that while the system of checks and balance of the two-party system needs an organized and vocal minority, there also is room for some difference of opinion within a party, at the lowest for the purging of corruption, and at the highest for the benevolent guidance of friends and associates of a more intelligent sort than mere yes-saying.

Clean-up Drive

IF he is asked at a party, "Why is killing a rat like cleaning a statue?" the well-instructed New Yorker will now reply, "Because the federal government is doing both for us." No oblique suggestion is intended here that these two hygienic services are not useful and necessary, that they do not merit inclusion in any large-scale emergency program; and certainly this is not the moment in the city's history to suggest that it is able to pay for them itself. No, we are not caviling at either the program or the federal paternalism behind the program. It is merely a little startling to have it simultaneously announced that the regional committee of the Federal Public Art Project is about to employ a group of idle artists to degrime all the city's statues; and that the Civil Works Administration will put 1,800 other jobless men to work rounding up the city's rats. A little pointed, perhaps. It seems to make definitely clear that the city needs hygienic attention. As to the rat-hunt, its statistics are so impressive—including 67,000 steel traps, 2,000 flashlights and ten trucks—and its purpose is so high—to prevent typhus infections—that we have nothing to say beyond wishing it luck. But we feel differently about some of the statues. Most of them should doubtless be cleaned—and Civic Virtue is the same to us clean as dirty. But we like Farragut as he is, with a mellow patina upon him; and we read with positive alarm that Sherman is to have a new coat of gilt paint. The last one was as startling against the green reaches of the Park as an explosion on

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a quiet dawn. It took months for it to soften to an endurable color.

Tooth News

THE LAW of compensation has been described somewhere as that force which, when your right leg is shorter than your left, prompts nature to make your left leg longer than your right. But there are more satisfactory illustrations. Take the recent drive upon the sacred American institution of the toothbrush, for instance. If anything ever called for a positive balance or counterblast, that did. It is all very well to go about saying, in the mere interests of scientific truth, as distinguished oral specialists have been doing, that brushing the teeth is not what keeps them from decaying. In a civilization addicted to the concrete, and practically built upon toothbrush drill, that is purely destructive teaching. Something far more potent is needed to offset it than vague general remarks in disparagement of soft foods and cereals. Now it appears that that something is forthcoming—from a totally unexpected quarter, but one that may even lend it added appeal to the national imagination. The toothbrush's loss, it now appears, is the radio wave's gain. The Association for the Advancement of Science has just received a demonstration from two physicians of the University of Pittsburgh which seems conclusive. High-frequency waves are found to have destroyed outright the infecting bacteria in 28 percent of all the cases treated in an extensive test; while in nearly 42 percent the waves have retarded bacterial growth or broken up its formation. As the work was done on living dentures, the results are held to be much more telling than previous experiments with extracted teeth. How profoundly dental science will be affected is, of course, another question. But even if it prove unfeasible to set each of us in a dentist's chair and project 90,000,000 oscillations per second at our jaws, we shall be no worse off, by the showing of the toothbrush underminers, than we were before.

BEHIND THE SCENES IN AUSTRIA

IMMEDIATELY after the war, few would have believed it possible that "little Austria" was destined to occupy the center of the European political stage. The poverty-stricken republic then looked like a territorial grant for housing the memorials of a Hapsburg splendor forever defunct; and when the League of Nations granted Monsignor Ignatz Seipel a loan, most people thought of that as a parallel to other sums being expended for relief in various suffering lands. But it is important to realize that the present situation is not entirely due to Herr Hitler—that, as a matter of fact, Austria has been a richer and more significant entity than the world at large supposed. We purpose now to attempt some explanation of this truth, because unless it is borne in mind, the things which are now occurring are merely fantastically incredible.

The defeat of 1918 rested particularly heavily on the little country. Everybody was a beggar. Practically nothing had a tangible value, and social revolution meant little more than a scuffle for houses and food. That scuffle left behind it a deposit of laws and politico-social formations which, once the crisis had passed, would seem desirable only to those who had profited. The Socialists were the beneficiaries; the non-Socialists were the losers. It was everywhere looked upon as a great experiment in human welfare when impoverished Vienna constructed the largest apartment houses in the world for workers and added hospitals and recreational centers to match. But somebody had to pay for these things and for the trimmings. The "somebody" was not always just a taxpayer or property owner. He happened often to be as poor as a church mouse and as deserving of aid as a widow without a mite. And when he beheld the Socialists clinging to their gains, despite varying ups and downs in the national fortune, there was enkindled in him something far more important than mere envy.

Austrians have always been very conscious of "values" with which they think their country endowed. To a certain extent these values are economic, being those sources of revenue by which the population can be expected to live. Thus, for example, there is a richly diversified rural productivity, including dairying, viniculture, fruit raising and lumber. Or a large group of crafts, noted for ability to design novelties and appeal to the universal craving for beautiful objects satisfying "taste" rather than the sense of beauty. But above all there is historic tradition, very useful in a monetary sense, since Austria has more to offer the traveler than any country of similar size in the world. Beautiful mountain and river scenery, picturesque towns, monasteries and castles, objects of historical interest, museums, theatres, just plain "charm"—all these splendors, available in almost riotous abundance, gorge the tourist at a comparatively reasonable cost.

Yet these "values" are also psychological and even spiritual. The Austrian is usually very agreeable but he is also very proud. A sense of belonging to a nation which has done great and beautiful things has been nowhere more resolutely kept alive. The Austrian "mission" is a case in point. Foreigners may smile at this, even as the present writer himself has smiled. But there is always something in a concept which makes thousands of people enthusiastic, and there is more in this "mission" than one immediately realizes.

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Southeastern Europe is a frontier across which three great religions and views of life have marched and done battle. Western Christianity (Germanic here, with a definitive Latin inlay), Slavic Orthodoxy and Islam! These things are not merely of the spirit. They are forms given to the whole of life, affecting even courtship, eating and reckoning. The Austrian has therefore always understood himself as the representative of the culture of western Christianity. He has not infrequently lapsed from the grace which ought to attend such a claim, but on the whole he has done rather better than anyone else.

Now in those who experienced this awareness of values, antipathy to the Socialists was likely enough to be fostered. The Marxists had first of all renounced all national "interests" of this kind, substituting for them an ideal of extra-national brotherhood. Again, they had been the specifically revolutionary party in the older Austria—the party identified with opposition to the throne and the past. Again, they had proclaimed themselves indifferent to religion and the authority it posits, sponsoring (very particularly in Vienna) a cult of godlessness which left the workingman hardly interested at all in the "Christian myth." Finally—and most significantly—they had developed after the war a system of class preference, of catering to themselves as trade unionists in political possession of the largest city, which embittered other groups. But though hostility to them was always keen and sometimes developed into violent conflict, their position was never in danger while others lacked unity, leadership and a certain amount of fanaticism.

For a long time, the other groups were merely political parties each of which defended certain interests but none of which could lay claim to real dominion. Gradually, however, two types more or less firmly established themselves. On the one hand there was the man who thought in specifically Germanic terms—who believed that Austria, united with Germany, would prosper and that the real destiny of post-war Vienna was to be the counterpart of Berlin. This man was often a Protestant, or one who (like Hitler himself) had favored loosening the traditional ties which bound the Austrian monarchy to the Vatican. On the other hand there was the man who refused to put any faith in the "Prussians." He remained so conscious of Austrian values that the thought of sacrificing them seemed treasonable. This man was often a Catholic, animated by keen distrust of Lutheranism. He was also sometimes still a monarchist at heart, unwilling to concede that the day of the Hapsburgs was over forever. There was a time when this Austrian was nearly won over to the cause of *Anschluss*. With Bruening in power and the terms anything one liked, the offer seemed almost too reasonable to decline.

Naturally the rise of Hitler greatly affected both groups. The Germanic-minded fell madly in love with the swastika, and were only too ready to do their part in the joining of hands. Indeed Hitlerism would probably have more to show now if it had proceeded with greater tact and intelligence. The leaders of the Austrian Nazis were subordinates in every sense of the term. They did incredibly stupid things; they said even more incredibly stupid things. In the end they drew from the Austrian bishops a pastoral condemning the Hitler cause, thus creating a moral obstacle which could easily have been avoided. On the other hand, the Austrian-minded were probably scared into taking an attitude which, on the best evidence available, they did not want to take as late as October, 1933. Then of course young intelligentsia were urging Dollfuss to strike hard, though the Chancellor himself was obviously inclined to proceed with the greatest practicable amount of "liberalism." But it was gradually decided to fight the devil with fire—to summon up the power of a dictatorial government in order to suppress revolts.

The Nazi threat could not be banned with a single gesture. Can it be banned at all? The answer is among the secrets of the future. We believe, however, that there is more to be said against the likelihood of Austria's being absorbed by Germany than is customarily admitted. We notice, for instance, that Mr. Knickerbocker reports that "40 out of 50" Viennese think Dollfuss will be gobbled up. Mr. Knickerbocker can't possibly have selected a balanced ration of Viennese, and if he did they wouldn't be more likely to know than we do. And we don't know much! The Dollfuss government has one trump card in reserve with which, if the worst comes to the worst, it could at the right psychological moment make a lot of trouble for the author of "Mein Kampf." If it restored the Hapsburgs, getting authority for that act from the Heimwehr, monarchial sentiment in Germany itself would probably increase to such an extent that the Hitlerites would be far too busy doing suppression at home to think of doing it abroad. No one ought to imagine that the Austrians are all fools. They just aren't.

As for the Socialist revolt, it was bound to come. The conflict was too deep-rooted and too intense to end in any other way. We may well think it a sorry business and reflect with shocked amazement upon the price of modern civil war in a Europe already staggering under the burden of accumulated losses. But there is no armor against fate. It is the era of Caesarism in Europe; and the Austrians have at least the comfort of knowing that they, more than probably anyone else, would have preferred living in better and more tranquil times.

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BRYANITES AND BONDHOLDERS

By GEORGE K. McCABE

The maze of Rooseveltian monetary policies, in which the individual debtor often loses his way without quite knowing it, is not something which the citizen can shelve and forget. We have therefore asked Professor McCabe to put the puzzle together—a feat which we think he has accomplished in the following paper. He thinks that recovery is under way partly in spite of politically motivated concessions to diverse groups, because heavy industries are beginning to profit by demand held in reserve four years.—The Editors.

JUST as every adult feels entitled to an opinion on educational methods, and remedies for spring colds, so too everyone able to read or to listen to the radio has by now a firmly established opinion on the monetary and banking policies of the federal administration. Some hold that we are on a bimetallic basis, others that we have returned to the gold standard; others hold that the commodity dollar is far from being extinct. Actually, bimetallism is almost as remote as ever. Although the Thomas amendments of last spring permit the President to establish the double standard at whatever ratio he might choose to set, the recently announced silver purchase policy amounts only to a subsidy to the silver mining interests of this country. The price of gold was 43 cents per ounce, under the government plan 64½ cents will be paid for all newly mined silver, up to 24,000,000 ounces per annum. Even though this be coined into dollars, the circulation would be increased by only $32,000,000 per year until 1937. This is clearly of no monetary importance, because the money in circulation at the present time is over $5,500,000,000. Even a palsied bondholder can scarcely call an increase of five-eighths of one percent per annum in the currency, inflation. Unemotional observers see in this step compliance with the London Agreement to raise the price of silver and an astute move to capture the votes of the senators from the eleven silver-producing states. The hard money school probably approves it as a means of separating the Thomas paper money inflationists from the silver producers' senators and representatives.

Although this measure may be looked upon as a poor compromise by those who believe that the complete monetization of silver would greatly stimulate our trade with the eastern nations, it may be said in reply that their currencies have risen by 50 percent (in the case of Japan, to 80 percent) during the last year.

The federal administration has had to deal with monetary problems more serious than outmoded bimetalism, since they set out last spring to accomplish two mutually exclusive objectives: a higher price level and the unfreezing of the security markets. To stop the disastrous decline in the general price level was the more important. As everyone knows by this time, the effort in that direction was an immediate success. Prices rose from April to September by 25 percent. One of the steps taken to accomplish this end was the unhitching of the paper dollar from the gold standard. This and the prospect of inflation, arising from the President having received permissive power to issue green backs in payment of government debt, served to unsettle the already demoralized bond market. The holders of claims to the forty odd billions of bank deposits were unwilling to place their funds in bonds despite the attractive prices which have prevailed in the last six months. Stocks were looked upon as a practicable hedge against inflation, in that if the number of dollars in circulation were enlarged so rapidly and to such an extent as Senator Thomas's followers desired, the price of stocks would follow the prices of commodities in their upward flight. Thus, the stockholder would suffer less of a diminution in purchasing power than if he had placed his idle funds in bonds paying a fixed number of dollars, however depreciated. As a consequence of the "tampering with the currency" necessarily resorted to by the administration to effect a rise in prices of commodities, the second objective, attracting idle funds into the bond market, was not attained. The index of 120 bond quotations shows a paltry rise from the levels of January, 1933, to the extent of 5 percent, although stocks have risen by 75 percent.

A final upset to the quavering confidence of the creditor and monied classes was the gold purchasing policy announced by the administration on October 25. Because of the announced purpose of the President to raise prices by whatever means, and in anticipation of higher labor costs under the NRA codes, there was a rush to produce goods and to stock them last summer. Consequently, there was something of a let down in October. The price level at wholesale, which has been brought up only to the pre-war plane began to slip. Wheat declined from $1.34 per bushel at New York to $.92, cotton from $.12 per pound to $.09¼, and corn from $.82 to $.51. This trend forecasts not only the slowing up of the President's reemployment program but presaged the turning out of the administration majority in Congress by the very dirt-farmers who had put them in office. Clearly drastic action

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was necessary. The financial advisers to the President resorted to an expedient called the compensated dollar, proposed by Professor Irving Fisher many years ago. He advised the reduction in the amount of gold in the dollar as a means of checking a decline in prices. Thus, just as it would take more tons of coal to purchase an automobile or to pay a month's rent if the number of pounds in the ton were reduced from 2,000 to 1,800, so, too, reducing the gold content of the dollar should have the same effect. Because we had left the gold standard in April, it was impossible to apply Professor Fisher's plan directly; the only method was to indicate the administration's intention of depreciating the dollar in terms of gold. The price which the Treasury paid for gold was raised from the prevailing market price of 29.80 paper dollars per ounce, to $31.36 and finally to $34.45. About $75,000,000 were used during the period from October 25 to January 15 for the purchase of all the gold newly mined in the United States and for purchase abroad. In reality the only effect of this step was to prepare the financial and business world for the stabilization of the paper dollar in terms of gold at 50 to 60 percent of its former redemption value. The hope of the President that a rise in the prices of goods would follow the rise in the government's purchase price for gold failed to materialize. If we had been enjoying a heavy volume of foreign trade, the overvaluing of the metal in this country would have acted to attract it here for the purpose of exports. Then, as the supply of goods declined and money became more abundant, a general rise in prices would have occurred. However the prevalence of embargoes, quotas and almost unsurmountable tariff barriers prevented the rush of gold to our markets. It is worth noticing, nevertheless, that the foreign trade of the United States in both directions has been nearly one-third higher than it was during the same months of 1932.

Having experienced the impossibility of boosting prices by the expedient of raising the price of gold, another and more reasonable step has been taken, viz., stabilizing the value of the dollar to relieve the investor of the fear of inflation. The favorable reaction in the bond market has been spectacular. Many issues have risen eight points, after months of neglect. It must be admitted, however, that the bonds of the kind of concerns which need funds for replacements and improvements, were at the low average quotation of 66 percent of par during the first week of January, 1934; consequently a rise of at least twenty points will be necessary to make new financing possible. After a rise of eight points in one week, this goal does not seem remote.

Any attempt to relate reopening of the capital markets to new borrowers encounters, at this stage of the argument, a persistent fallacy, apropos the difficulty of stimulating business by the expansion of activity in the heavy industries, grouped under construction. The curbstone experts who have circulated this fallacy hold that there is no demand for new plant and equipment or housing, because there are so many plants and dwellings idle at the present time. Therefore, they conclude making new capital available will not assure its use. On the other hand a federal survey indicates that 600,000 families are living in quarters that are so obsolete as to warrant condemnation. Furthermore, during 1933, despite the new construction initiated by the various government agencies the total expenditure in this field was only 10 percent of that put forth annually from 1925 to 1930. It must be obvious to any amateur that there is an unprecedented demand for all sorts of equipment and construction because of the accrued depreciation and obsolescence of the last four years. The public utility companies which (at least in the electric field) have shown a 100 percent increase in the demand for their services since 1920, cut their renewals and betterment by 75 percent in 1933 as compared with their outlays in pre-depression years.

As another aid to financing the expected expansion of business the banking situation has been clarified considerably by federal action. Although bank loans continue to decline, the insurance of deposits and the restoration of the impaired capital of many banks should show results soon in the normalizing of the bankers' attitude toward loans. The fear of runs has been dissipated through the insurance in the Federal Deposit Insurance Corporation of all accounts in 95 percent of the banks up to $2,500. This is really a ruse to get all the banks under national, uniform regulation, but is commendable, nevertheless. More important from the point of view of recovery is the government's placing new capital funds in the banks by purchasing their preferred stock. The full effect of this measure has not been reported to the public. Before January 1 many bankers committed an indictable offense every time they opened their institutions for business. Each knew that the capital of the bank was impaired by the lost and depreciated assets, but could see no remedy. In ordinary times such a situation is met by an immediate assessment on the stockholders. Unless they are willing and able to make good the deficiency in the assets, the bank must be closed. Recently it has been impracticable to make such an assessment. Small wonder then that the banker was in such a mental panic that he looked upon the applicant for a loan as little short of a daylight robber. Now it has become patent that one of the largest banks in the country has lost two-thirds of its capital, and had the government not come to the rescue with $50,000,000, the bank

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could not have continued in its illegal acceptance of deposits.

To illustrate the demoralized condition of the customer-banker relationship, the following case may be in point. A restaurateur decides to take out a state liquor license. He has only enough cash to pay for the license. He must rehabilitate and expand his establishment with fixtures costing $1,000. Normally, he would encounter no difficulty, because the fixture concern would take his installment notes and endorse them over to a finance company, which would in turn reimburse itself by borrowing from commercial banks, giving the restaurateur's notes as security. Thus the local bank which is now so unwilling to make "capital" loans to business men, who find themselves in the same position as the restaurateur, in actuality used to make capital loans indirectly through advances to the finance company. What is the situation today? The fixture man is bankrupt and his endorsement therefore is meaningless. Consequently the finance company is unwilling to consider such financing because there is so poor a market for its notes among the former purchasers, the banks. Thus, credit relationships are so demoralized that the expansion of enterprise in the usual way is impossible. Yet, bankers may be expected soon to show an interest in financing short term requirements of solvent business men, payable in ninety days.

Even though it be admitted that bank loans will soon be available, there is a large group of pessimists who are unable to see where the purchasing power is to be derived by the common people to take off the market the goods produced. Briefly, this question can be answered in terms of the more rapid turnover of bank deposits. That is, if a storekeeper draws down his checking account to lay in a large inventory, he automatically provides the purchasing power to take the newly bought goods off his shelf. If he and his kind are expanding their buying at about the same rate as the expansion of general business, then his goods are no sooner paid for than the selfsame purchasing power, remitted by him to the manufacturer, is returned to him, the storekeeper, by the factory employees. After, say, ninety days have passed he is in the same cash position as before the transaction was begun; his shelves are nearly empty, his checking account is replete. If he had not entered upon this expansion, but had let his credit remain idle at the bank, the purchasing power which he himself put into circulation would not have appeared, and the factory employees would have remained on the dole. Thus, purchasing power is not some force to be drawn in from the outside, as would be tribute from a foreign power. The expansion of the volume of trade provides its own purchasing power. The improvement in the price level which is expected to follow the unfreezing of the bond market and the investment of $7,000,000,000 to $10,000,000,000 in plant equipment and construction will give the impetus to enterprisers to expand their operations. The President in his Budget Message, based his calculation for the next two years' revenue in a forecast of business activity in 1934 at 81 percent of normal, and at 98 percent for the next year. These figures may be compared with 66 percent for 1933.

In the opinion of the writer, recovery is well under way, not because of the recognition of Russia, or the expenditure of $207,000,000 for make-work projects in one month, or because the silver senators are safely Democratic again, or because bar and restaurant receipts of New York hotels were 68 percent above the pre-repeal level, but because the heavy industries, languishing under the program which affected only consumable goods, are now to show something more than 25 percent activity. The unprecedented demand, piled up over four years, and estimated at $30,000,000,000 for their products is about to be financed by the restoration of the confidence of the investing class in the future purchasing power of the dollar. Probably 50 percent of this year's college senior class will become bond salesmen, at least until suitable executive appointments become available.

Psalm for the Enemy

Lift up Your Hands, O God, against their pride
And save me from deceitful men.

For they who hate
My faith have made their boast: we override
The planets, working wonders with the sun. We mate
The moon with tides, our day encroaches night,
Our planes defeat the rains, and lightning leaps
To service.
Where is wind or wave that daunts the flight
Of mind? What depth of sea or mountain keeps
Its treasure?
Neither from the east nor west
Has come your God: must He conceal His Face
Or hide behind the stars while you divest
Yourself of reason? Where is faith, there is the place
Of blindness.

When I disciplined my soul
In fasting I became a byword; praying, I was bade:
Seek out man's wisdom if you would be whole.
But I will walk, O God, on high piled waters unafraid
And know the fairest things that Caesar brings
Are beacons falsely placed.
O who will lead
The songs of larks or words like eagles' wings
That I may reach my praise to God? If He befriend
My orphaning, He will not leave me lone
Nor when I ask for bread give me a stone.

JOHN GILLAND BRUNINI.

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MARYLAND'S GLORY, OUR GAIN

By J. ELLIOT ROSS

MARCH 27, 1634, the day on which the first pilgrims of Maryland formally established their settlement at St. Mary's City, marks a turning-point in world history. For the government that day founded was the first in modern times to apply the distinctively American principles of separation of Church and State and religious freedom for all. These Maryland settlers started a bloodless revolution that has since become triumphant in most of western civilization.

Indeed, so firmly entrenched in our Federal Constitution have these principles become that it is difficult for us now to realize how different was the situation in the early seventeenth century. Then the idea that the State must officially be united to some particular Church, severely limiting the rights of non-conformists, was universally accepted, and it had the sacred sanction of the custom of centuries. *Cujus regio, ejus religio* was an unquestioned maxim of jurisprudence. According as they had the power, Catholics were intolerant of Protestants, Protestants of Catholics. About the only thing on which all Christians united was an intolerance toward the Jews.

Under such circumstances, therefore, it took a far-seeing vision to conceive the possibility of establishing a government without an official Church, a government, moreover, that would allow its subjects the right of worshiping God according to their individual consciences; and it took statesmanship of the highest order to carry such a conception into execution in spite of the difficulties in the way.

Without in the least subtracting from the credit due to Roger Williams and William Penn, Marylanders may well feel proud of the fact that theirs was the first government in modern times successfully to separate Church and State and to grant freedom of worship. And the fact that the initiative in this experiment came from a Catholic, George Calvert, and that it was carried through by his son, Cecil, gives Catholics a special right to satisfaction.

In recalling the tercentenary of Maryland's founding, however, we should keep certain facts in mind. The Maryland settlers—or at least the Catholics among them—landed on St. Clement's Island, March 25, 1634, for the first Mass. As a consequence, some have dated the founding of Maryland from this day. But no permanent settlement was then made on this island, and the pilgrims had actually landed before this. Consequently, in identifying the establishment of the colony with the saying of the first Mass, I believe that a very significant point is missed. No Mass was said, and no religious ceremony was held, at the formal establishment of the first settlement on the mainland, March 27, 1634, presumably to indicate the separation of Church and State that was to be such an important element in the Maryland foundation.

It should be borne in mind, too, that Maryland's claim to having established religious freedom is based on the early practise of tolerance, and not on the famous Toleration Act of 1649. Mr. Charles C. Marshall and others are perfectly right in calling the wording of this act most intolerant, for it granted freedom only to Trinitarian Christians and imposed the death penalty on those who denied the Divinity of Christ or blasphemed God. What the critics have overlooked is the broadly tolerant practise before this act, and the circumstances attendant upon its passage. For at the time this act was passed, the Puritan influence was growing, and apparently the Anglicans and Catholics deemed it necessary to protect themselves in this formal way. Consequently the wording of the act granted freedom only to Trinitarian Christians, because it was deemed unwise to make it more liberal than the law passed in 1648 by the Long Parliament.

As far as the records go, from the beginning of the colony there had been complete toleration for all. The Anglicans and Catholics among the first settlers seem to have built the first chapel by their joint contributions, and at any rate it was used by both groups for their respective services. The religious freedom extended beyond Anglicans and Catholics, as is shown by the presence, prior to 1649, of a number of persons not attached to any Church. It is probable that some of these religiously unattached persons were freethinkers. And there is good reason to believe that the practise of tolerance embraced Jews also. Certainly during the Puritan régime in Maryland, there was a Jewish doctor named Lumbrozo, who had probably been in the colony some time. He was brought to trial under the provisions of the Toleration Act, but his trial had not been completed when Lord Baltimore regained control of the colony, and Lumbrozo was granted full rights of citizenship, thus showing conclusively the broad spirit of the Lord Proprietor.

In his excellent book on "The Founding of Maryland," Mr. Matthew Page Andrews (who is not a Catholic and not a Marylander by birth), quotes a lifetime Jewish student, B. H. Hartogensis, as having established the fact that a Jew was among the first Maryland pilgrims, and landed with them. His name was Matthias da

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Sousa, and he came from the Barbadoes. Apparently he was taken on board when the Ark and the Dove stopped in the West Indies. He was in attendance upon the provincial Assembly in 1641.

> Mr. Hartogensis has found evidence that the following early colonists in Maryland also were Jews, or of Jewish lineage: Richard Abrahall, Cornelius Abraham, Isaac Abrahams, Solimon Barbaral, Hester Cordea, Matthias da Costa, Ansel Israels, Solomon Lazear, Jacob Leah, Philip Salomon [Andrews, page 157].

Summing up, then, there is no evidence to indicate that freedom of religion in Maryland was restricted prior to the Toleration Act, or at any time when the Catholic Lord Proprietor had free sway; while there are records of trials showing that the conscientious rights of the settlers were jealously protected against encroachments.

This situation, unique at the time, was only achieved by the exercise of great tact and firm determination on the part of Lord Baltimore. There were armed clashes with Captain Claiborne, a Virginian, who claimed prior rights in certain territory coming within the boundaries of Maryland. Ingle's invasion for a time overwhelmed the infant colony. And there were troubles with the Indians. But perhaps the most interesting incident to Catholics was Lord Baltimore's controversy with the Jesuits. Lord Baltimore had sent Father White, a Jesuit, to Maryland with the first settlers, and the Jesuits had been given lands along with the other colonists. Contrary, however, to the Lord Proprietor's understanding of his rights, they had made separate treaties with the Indians to acquire additional land. Apparently, too, they expected the same privileges they would have enjoyed in a completely Catholic country, and were not prepared for the far-reaching consequences of the separation of Church and State Lord Baltimore was insisting upon. After an acrimonious dispute, the General of the Jesuits finally directed the local Jesuits to accede to Lord Baltimore's wishes, without, however, giving specific approval to the principle involved.

As an aftermath of the controversy, there is in the Maryland Constitution to this day a clause requiring the express permission of the General Assembly for a minister of religion as such, or a religious corporation, to acquire property; and no minister of religion is eligible for a seat in the General Assembly.

Reviewing the records in the case, a Jesuit of the present generation has referred to Lord Baltimore as "Erastian" and a "so-called Catholic" (Hughes, "History of the Society of Jesus in North America," volume I, page 435). Such language is certainly too strong. George Calvert became a Catholic when this meant to endanger his whole worldly future, and there is no evidence that his son Cecil, who carried through the founding of Maryland, was less sincere. The truth probably is that neither Lord Baltimore nor the Jesuits were standing for exactly the same separation of Church and State as we have today in the majority of the states of the Union. Lord Baltimore wished to exercise a greater degree of control over the ministers of religion than most of the states do today. For instance, he introduced secular priests after his controversy with the Jesuits, a participation in the internal organization of the Church that would hardly be contemplated by any one of the forty-eight states now. And no matter how desirable it may be to have no ministers of religion sitting in state legislatures, to make them ineligible by law would seem to be a mild infringement of religious freedom.

These facts indicate that the Lord Proprietor's idea of the separation of Church and State was not as complete as that generally prevailing in this country in our time. And this is shown, also, by the fact that a religious ceremony was required for marriage, and that the testimony of unbelievers was not admitted in civil courts.

In spite of such minor considerations, however, the Lords Baltimore deserve great credit and our profound thanks for the pioneer work they did in proving the possibility of the modern State being separated from any particular Church, and granting religious liberty to all citizens. Nor should the fact that they could not, under the circumstances, have established a Catholic colony, restricting liberty to Catholics, subtract in the least from the credit due to them. For they were not forced to establish a colony at all. And everything we know of them goes to prove that both George and Cecil Calvert were high-minded, sincere men, intensely devoted to the principle of freedom of conscience.

It would be pleasant to record that the Calverts' experiment in granting religious freedom was uniformly and permanently successful. Unfortunately, however, there was a Protestant Revolution in 1689. In 1702 the Anglican Church was established by law, and in 1718 the Catholics were disfranchised. This was the situation when Maryland, in union with the other colonies, decided to separate from England.

These considerations have led Father Lucian Johnston to discount the actual influence of Maryland in bringing about the provisions in the Federal Constitution guaranteeing religious liberty. In "Religious Liberty in Maryland and Rhode Island," he writes (page 4):

> No one well acquainted with the general history of religious liberty in the United States can avoid being impressed by the fact that the same results would have come anyhow even if Baltimore and

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> Williams had never lived. Their own work was undone long before the adoption of the Constitution, in 1789—completely in Maryland, partially in Rhode Island; whereas in other colonies which started out with intolerance, toleration had so far progressed that these colonies were fully on a footing with them and contributed equally to the adoption of the full liberty guaranteed by the Constitution. Otherwise it could not have been.

A juster estimate would seem to be that the Calverts were ahead of their generation in sincere devotion to the principle of religious liberty, and in realizing that there were forces at work which would inevitably demand such liberty. In spite of a temporary setback, their judgment was confirmed by the actual march of history. And this, instead of lessening our admiration for their far-seeing statesmanship, should rather increase it.

But even if their judgment had been proven wrong, and intolerance had permanently triumphed, we should nevertheless give all praise to the Calverts for having even for a brief moment shown to the world the light of liberty. They gambled magnificently, and in the long run the idea they stood for won. The temporary failure only increases the measure of their stature, because it shows against what odds they fought at the time, and how far they were in advance of their contemporaries. A statesman's ability is to be estimated not only by the exact amount of his immediate success, but also by the difficulties he has to face, and by the sureness with which he calculates the larger forces of history.

The credit that we Catholics give to the Lords Baltimore, however, and to the first Catholics in Maryland, should not, on the other hand, make us subtract from the credit due to the Protestants who cooperated in this venture. George Calvert obtained the consent of a Protestant King, James, to the granting of a charter liberal enough to allow religious liberty, and there must have been some understanding between the King and Lord Baltimore in regard to this most important point. Moreover, the Catholics, although holding the powers of government in the first years of the colony, may have been, as some claim, in a minority. Certainly many Protestants must have been willing to risk their lives and fortunes in the great adventure of establishing a state upon the basis of religious freedom. There is glory enough for all.

Finally, it seems to me that to call Maryland a "Catholic" colony obscures its real significance. For such a term appears to imply a union between the State and the Catholic Church, or at least some special recognition accorded to the Catholic Church. It is true that the Lord Proprietor was a Catholic, that the government was at first in the hands of Catholics, and that many of the first settlers were Catholics. But I prefer to say that Maryland was neither a "Catholic" nor a "Protestant" colony. Maryland was a civil colony, not united to any Church, and for that reason exemplifying more clearly the idea that religious profession would not be a bar to the enjoyment of civil rights.

THE LOCH BOAT

By L. A. G. STRONG

AT THE Highland lodge where we spend a part of every summer there are two boats, one for the sea, and the other for the loch. By the time we arrive, the sea boat is riding placidly at her mooring; but the loch boat is still in the boathouse. Its launching is a more complicated business than that of the sea boat. It is launched in the sea, to save a rough and hilly two and a half miles, and rowed up the estuary of the river to a point near the falls. From this it is only about half a mile by road to the mooring place on the loch.

Old Michael, fisherman and odd job man to the lodge, is in charge of the launching, and makes a great business of it. In the first place, there must be a spring tide, to minimize the distance between the boathouse and the water. In the second place, there must be a dead calm, for Michael is very scornful of the loch boat's seaworthiness. Actually it is rather high in the water, and difficult to manage in a wind; but Michael's scorn is really only a symptom of his rooted preference for the sea and all its works over the loch. The third requirement is that we shall be able to secure one of the two village lorries, for the last half mile; and it is extraordinary how difficult it becomes, under Michael's management and in view of the aforesaid preference, to secure all three conditions on a single day.

However, the day had come at last. Even so highly gifted an obstructionist as Old Michael could do no more. The first move, from the boathouse to the sea, was accomplished easily enough. The gardener came down from the garden, a rival fisherman using the same mooring-place lent a hand, and these forces, with those of the house, achieved the journey with great good humor and a total debit of one barked knuckle. Five minutes later we were well away, past the small rocky point and making for the mouth of the river.

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"Whose lorry are we having, Michael?"

"Alexander Macfarish's."

"How's he this year?"

"Och," said Michael. "It's a gentleman. It's doing no work at all. It's signing cheques," he added, leaving us to speculate happily upon the sudden access to prosperity of Mr. Macfarish.

"Does he know we're coming?"

"Och, no."

To make no arrangement for being met by the lorry might seem to be carrying Highland casualness to extremes; but there was sense in it. Two or three years previously, in the innocence of our hearts, we had gone into the village the evening before and arranged with the proprietor of the lorry for it to meet us at a given time. It had been accompanied, to our dismay, by a small army of willing and unoccupied hands from the bar parlor of the inn, all of whom assisted in the ceremony and had to be compensated for their trouble. Wiser, and considerably poorer, we had decided in future to let Michael make his own arrangements.

"I heard it's going up to Swordlands this afternoon with two big hampers that came up on the train. We go to the side of the road and meet it coming back."

"What time will that be?"

"Och, I don't know, I'm sure."

The old man puffed at his pipe. We looked around. It was a perfect afternoon: the sea innocent and still, the mountains aloof, withdrawn into themselves but not unfriendly. A soft haze, high in the sky, robbed the sun of fierceness, and the light had all the uncanny Highland power of concentrating upon some single object in the foreground, a rock, a green foothill, or a tree growing at an angle on a slope, and making it stand out with stereoscopic clearness from all around it. Soon the white sands of the estuary swung into view, almost hurting the eye—strangely enough, they glare more brightly in subdued than in clear sunlight: and at once the landscape changed its character, the bare headlands giving place to woods, a restless energy of foot-hills, and mountains, infinitely remote, soaring darkly above the gap where lay the loch. So full was the tide that all in the estuary was still. The submerged currents ran noiselessly, the rowlocks of a boat a quarter of a mile away croaked like frogs, and the whole wide space was filled with the soft, unending crash of the unseen falls.

Usually, the journey was long and winding, as one followed the main stream of the river; but today one could cut corners with safety. In twenty minutes we were at the anchorage, a low stone causeway just round the corner below the falls, and safe out of range from the current that came swirling between the rocky walls.

Michael made the boat fast, and we scrambled up the roadway and began to make our way along to the loch. Suddenly one of the party nudged his neighbor and pointed. Up the steep bank, in the shade of a rowan, an old man reclined stiffly, half sitting, half standing. His face was mild, and vaguely benignant. He wore strange tweeds of bygone date, several sizes too large for him now, and so stiff they looked as if they would have stood up by themselves. His long grey hair escaped in profusion from beneath a navy-blue yachting cap.

"Good-afternoon, Angus!"

The old man started, peered about, caught sight of the party, and raised a hand in myopic greeting.

"Good-afternoon indeed, good-afternoon."

"How are you, Angus?"

"Very well thank you, very well indeed. Only a little the rheumatiz."

We walked on, Michael shuffling crab-like and raising the dust from the white road. At the top of the steep slope by the falls we paused to get our breath, staring fascinated into the great, perpetually leaping jet of cream and unearthly green. Finally Michael spat into it, and we went on.

"That man," he said presently, jerking his thumb backward over his shoulder, "that man is having a strange thing happen to him long long ago. Forty years ago, perhaps. He had done a great service to the old laird—old Sir Malcolm—and the old laird asked him what he would like. He said it would be to stay in his cottage and never to move. The old laird granted him that, but presently, after twelve years or fifteen it was perhaps, the old laird died. His only son had been killed, and the new laird who inherited the estate was a cousin who had lived away in foreign parts."

By now we had come to the junction where the road branched off along the side of the loch for Swordlands. With one accord we climbed a comfortable grassy bank, and settled ourselves to wait for the lorry.

"That was a very sad thing," Old Michael went on, "and the whole place was sorry for it. But the new laird when he came was not a bad sort of man, not a bad sort of man at all. He did not know the place or the people, but he did his best to learn, and tried to make improvements. One of the improvements he tried to make was Angus McLachlan's cottage. He did not think it a fit place or a proper place for a man to live. Besides, Angus McLachlan was paying no rent.

"So the new laird sent for Angus McLachlan and told him that he was going to put him out of his cottage.

" 'Och, laird, no,' said Angus McLachlan. 'You'll no do that. Your cousin the old laird said

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that I should never be put out of my cottage for the whole length of my life.'

" 'I can't help that,' said the new laird. 'Your cottage is no fit place, and you are paying no rent, and you must go out of it.'

"Angus pleaded and made great entreaties, but it was no use. The new laird was set hard in his plan, and he sent Angus away.

"So that night Angus went up to the graveyard at Arisaig, where the old laird is buried, and threw himself down on his face by his grave and caught hold of the earth with his hands and embraced it and put his mouth down to the earth.

" 'Oh laird, laird,' he said, 'the new laird your kinsman is going to put me out of my cottage that you promised I should keep for the whole length of my life. Oh laird, spare me. Do not let him do this thing. Do not let him put me out.'

"Angus lay there for some time, not minding the wet and the rain, and then he went home.

"Two days later, or maybe it was three, the new laird sent for Angus McLachlan to go to him.

" 'I have been thinking of what we were saying the other day,' said the new laird to Angus, 'and I have changed my mind. I will not put you out of your cottage. You shall stay there, the same as the old laird said, for the length of your life.'

"At these words Angus McLachlan fell down on his knees, and kissed the new laird's hand many times over. As he was going out of the door, still calling out his thanks, and praises of the new laird, the new laird called him back.

" 'The old laird,' he said to him. 'He had a red face, had he not? And a stammer in his speech? And a little scar just above his eye?' "

Old Michael screwed up his eyes and looked impressively at each of us in turn.

"By those words Angus knew that the old laird had indeed heard his complaint and had appeared to the new laird and interceded for him.

There was silence.

"Do you believe in ghosts, Michael?"

The blunt question seemed to displease the old man. He frowned, wriggled his shoulders, then took out his pipe and opened his mouth to speak.

"Och," he began—when suddenly there came a loud, harsh hoot, and a lorry leaped recklessly clattering round the corner of the loch road in front of us. We sprang to our feet, waving to the driver to stop, and he pulled up with a grind and a slither that brought part of the road down the slope after him in a miniature avalanche. It took a few seconds to explain what we wanted, and he proved entirely amiable.

"Jump up," he smiled.

Old Michael, cunning as a serpent, clawed his way ape-like into the cab. We jumped on. The lorry was of the type used for conveying gravel and for tarring the roads: that is to say, it consisted of a large flat tray which could be tilted to any angle by winding a handle. The next four minutes were very hectic indeed. To anyone who has not tried riding such a vehicle on West Highland roads, I recommend the exercise as likely to provide him with all the excitement he may want. My only comparable experience, a lift in a goods train from Glenfinnan to Morar, was a rest-cure to it.

However, we arrived safe and breathless, and proceeded to the business of loading the boat upon the lorry. This was largely simplified by the fact that the lorry was blocking the road, and, in their own interests, such motorists as were perforce held up got out to give us a hand. The boat was dragged up the slope, the tray of the lorry tilted at an acute angle, and the boat's nose lifted on. Then began an operation of some delicacy, the restoring of the tray to a horizontal position and the edging of the boat further and further on, until she was half way there and would balance, taking the weight off the struggling beings who were shoving her by the stern. Just as we had got her up, a car arrived from the opposite direction. Fortunately, the road to the village forked from the loch road a bare couple of hundred yards above where we were. One of our party ran on to see that no second car still further complicated the position, while the first obligingly backed before the lorry, and the loch boat made her way triumphantly, with the one car backing and doing obeisance before her, and a string of others following respectfully after her, till the fork was reached. There we bade farewell to our involuntary escort, and drove on to the loch.

The launch was easy enough. The lorry was backed to the edge of a grassy slope above the bank, and the boat unceremoniously tipped off as though she had been so much gravel. We compensated the driver for his trouble, while Old Michael made the boat fast at her mooring.

The transaction concluded, we went down to join him. But the lorry driver made no move. He remained at the wheel, beaming down upon us.

"Is there anything else? Are you waiting for something?"

He put his hand to his mouth to defeat the noise of the engine.

"Will ye no be wanting a lift up to the village?"

The thought had not occurred to us. We looked at one another inquiringly. It had, however, occurred to Old Michael.

"Aye," said Michael, passing the back of his hand in anticipation across his mouth. "Aye. We will."

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THE TRUTH IS NOT ENOUGH

By T. SWANN HARDING

THE AMBIGUOUS use of the truth is an old standby. In recent years the lie by inference, with avoidance of the lie direct, has become an outstanding commercial success.

The Copeland Bill, S. 2000, introduced January 4, 1934, to replace the present Food and Drugs Act, seeks to give consumers protection from false and misleading advertising, frequently based upon ambiguity, inference or abuse of true statements. For example, a manufacturer of cosmetics announces that his chemists last year tested 3,278 experimental batches of a certain cream in order to attain the ideal of perfection. An impressive photograph accompanies this advertisement. Herein we see depicted a man who sits solemnly examining some liquid in a beaker over a Bunsen burner. Another white-coated individual, therefore a scientist, peers over his shoulder, brow furrowed deeply, and about to pour something from a graduated cylinder into a smaller beaker. The laboratory table is littered with burettes, Erhlenmeyer flasks, test tubes, small condensers, and other impressive apparatus, and the impression conveyed is that extreme scientific care has made this cream the ideal of all creams. This may even be the truth, but the advertising is misleading. A mere 3,278 trials does not attest scientific truth. It may mean little or nothing, except that the scientific staff is more than ordinarily stupid.

The scientific motif in advertising has been so overdone that the more astute advertisers realize it and are turning from it. Some of them slyly ridicule it. There are most amusing drawings labeled: "Test No. 15—Proving that Flit Knocks Bugs Flatter than a Pancake." One gentleman squirts the liquid. The chef, nearby, casts a pancake to the floor. Four scientific gentlemen then kneel low and assiduously ascertain that the bug really is knocked dead and as flat as a pancake.

This matter has its serious, consumer-defrauding, aspects. Better Business Bureaus, Chambers of Commerce, and ethical advertisers generally will agree that the lie direct really ought not to be used in advertising, but see nothing wrong in the advertiser suggesting almost anything he pleases.

Thus I see a mahogany desk advertised very cheaply. I gather the impression at a hasty glance that it is solid mahogany and rush to look at it. But the clerk is abashed and says the desk certainly was not advertised as "solid" mahogany; the word used was "genuine" and it is veneered, very thinly, in places with "genuine" mahogany.

Certain refrigerators were long advertised as "all steel" or "all metal." But the Federal Trade Commission prohibited this because it was not true to fact. However, the refrigerators can still be advertised as "steel" or "metal," the words being used subtly to convey the impression that they are all steel or metal as the case may be.

Domestic malt syrups have been found bearing on their labels the words "Gott Mit Uns" or "Imported Hops Flavor." This is no lie direct, but it did deceive buyers into believing that the products were of Germanic origin.

The label of a food product can bear the words "Contains 200 units of vitamin D per pound" and the whole be entirely legal, provided the product actually contains that much vitamin D. The joker is that even if it contains that much, that amounts to a third of a teaspoonful of cod liver oil and could not possibly have any curative or remedial effect. The statement may be absolutely true, but it conveys a false impression because it means nothing in the sense in which the consumer is expected to take it.

Here is a mild saline laxative advertising in such terms as to suggest it will clear all the poisons out of your system. A series of five pictures is used to indicate that it is especially helpful in constipation, headache, colds, bad complexion, and rheumatism, and we learn that it is not just a laxative. Yet it is just that. A teaspoonful in a big glass of fresh water produces only the effects that such a mild laxative drink could be expected to produce, but the advertising infers vastly more.

Then there is yeast. It undoubtedly is useful for correcting a limited number of mild ailments in a limited number of cases. But it is widely advertised as a cure-all. One would suppose from the advertising that indigestion, for instance, if brought to the doctor's attention would invariably bring about advice to use yeast. Yet the American Medical Association has for year fought this sort of propaganda in its journal and otherwise.

There is also the type of advertising that involves the testimonial. Thus a relatively harmless and impotent liquid antiseptic advertised that a certain group of people who used the stuff had fewer colds than another group who did not use it. The so-called scientific experiment actually meant nothing, however, because too many other factors—diet, state of nutrition, general state of health, exercise habits, exposure to the elements, and so forth—went uncontrolled. But the advertising inferred much from it.

A woman's remedy popular for many years, in spite of the fact that it has changed its formula several times, and of the further fact that it makes no curative claims on its labels because it cannot legally do so, states "711,267 Women

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Now Report Benefit." That many women said "Yes" on a questionnaire asking them whether they had been benefited by taking the stuff. True, but the inference is too broad. What value has it for a woman who has a uterine tumor or cancer?

Testimonials were also given as to a remedy for Bright's disease which contained a group of very ordinary drugs, and which expert medical testimony at the trial declared could not be effective in curing serious kidney disorders. The company manufacturing the remedy contended, however, that since they actually had in their files many testimonials from physicians who claimed to have helped their patients by using the stuff, they had every right to state on their labels:

> We have received many letters from physicians reporting . . . in cases . . . of . . . Bright's disease . . . etc. that the use of this compound was attended with decrease in the albumen in the urine, or improvement in the physical condition of the patient, or both.

The case came to the Circuit Court of Appeals (Ninth Circuit) and the opinion handed down July 1, 1929, is important because of its implications as a precedent. The court admitted that the makers of the medicine claimed neither on their label nor in its attending circular that their product was of curative or therapeutic value. No such direct statement had been made. But the appearance on the label of the existence of the physicians' testimonials

> . . . would tend to engender a belief to persons suffering from diabetes or Bright's disease that the use of the drugs would likely afford them relief.

The court added:

> Unless we discredit their mental competence, such, we must presume, was the intent and expectation of the proprietors.

The producers contended that these letters constituted a complete defense of the medicine regardless of its character.

> But if, as is alleged, the drugs are worthless, the proprietors cannot escape responsibility by hiding behind the phrase, "the doctors say." Couched in such language undoubtedly the printed matter makes a more persuasive appeal to the credulity of sufferers from these diseases than if the representations thus implied were made directly upon the authority alone of the proprietors, and for that reason they are not less but more obnoxious to the law.

It is plain to see that the court here condemns the lie by inference or ambiguity—in so far as it appears on the labels of packaged foods or medicines, or in circular matter forming an essential part of that package. Beyond that point the present Food and Drugs Act does not extend. The revised law may go very much further in consumer protection if it is not too much emasculated in Congress. We live in a profit economy which is only very gradually evolving into a truly functional economy of service. Consumers can never have complete protection from fraudulent products until some means is devised of preventing the allocation and use of capital for the fabrication of such products.

Even under the Copeland Bill the violative act is not the manufacture or sale of adulterated or misbranded goods. It is the placing of such goods in the stream of interstate commerce.

But today any person, no matter how ill-qualified, can throw together some nostrum, call it by a fancy name, make no therapeutic claims at all on its label or in printed matter forming part of its package, and yet do an excellent business provided he spends sufficient in newspaper, magazine or radio advertising.

These days the federal government is waking up to the menace of general advertising. A revised Food and Drugs Act has been proposed to control it. It menaces, for one thing, because it can use such huge sums to din inferential falsehoods into our ears. In 1930 Pepsodent spent $1,219,462 on radio advertising alone. Lucky Strike spent $842,020, and Fleischmann $528,935. In the same year Standard Brands spent $3,400,-181 on magazine advertising; the makers of Listerine spent $3,027,892 in this way, and Drug. Inc., $3,049,887. That year 29 magazine advertisers spent more than $1,000,000 that way, and 150 of them spent a total of $116,435,914. The Food and Drug Administration has an appropriation of about $1,250,000 annually to spend enforcing the Food and Drugs Act.

Already the Copeland Bill has been weakened. Before the Senate Committee hearings were held December 7-8, 1933, the advertisers began to protest loudly. They were at the hearings in full strength. There the officials long in charge of enforcing food and drug legislation sought to be true consumer advocates. But since the only other putative advocates for the consumers, representatives of Consumers' Research, turned against the bill, it was not surprising that the language was diluted. Section 9, Paragraph (a) of the bill originally read, for instance:

> An advertisement of a food, drug, or cosmetic shall be deemed to be false if in any particular it is untrue, or by ambiguity or inference creates a misleading impression regarding such food, drug, or cosmetic.

In S. 2000, introduced by Senator Copeland as the committee bill, this has been revised:

> An advertisement of a food, drug, or cosmetic shall be deemed to be false if it is false or misleading in any particular relative to the purposes of this act.

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There is a proviso that no advertisement shall be deemed false

> . . . because of any representation concerning any effect of a drug if that representation is supported by substantial medical opinion or by demonstrable scientific facts.

In the House of Representatives Mr. Black on January 4, 1934, introduced a substitute bill, H. R. 6376, which is satisfactory to the advertisers because it reads, Section 10B:

> The term advertisement as used herein includes all representations of fact disseminated by the manufacturer, producer, owner, or distributor . . . and excludes statements which involve matters of opinion where there is no exact standard of absolute truth. Any advertisement of food, drug, or cosmetic will be deemed false if in any particular representations of fact are untrue.

This gives the whole thing away, permits wide latitude to "opinion," and would permit inference and misleading ambiguity in the use of true statements to go their way unmolested. Advertisements say that this fat remedy is harmless, and this depilatory is even beneficial to the skin and should be used like cold cream. Yet the former contains dangerous thyroid substance and the latter highly poisonous and injurious thallium acetate. What about that for honesty?

This is a "health" cereal because it "contains all the vitamins." So it does. That is true. But it contains so little vitamin D that baby would have to eat an entire boxfull to get the equivalent of one-half teaspoonful of good cod liver oil. How can baby do that, and get in all his other odd jobs? What is meant by that use of the world "health" anyway? What is meant by advertising a cough drop as super-excellent because it contains vitamin A, which it may contain but which cannot make it scientifically a better cough drop?

Under the Copeland Bill the advertisement of a remedy will be false if it calls a mere palliative a cure. The wording was to have been false if it carries "any representation, directly or by ambiguity and inference, concerning the effect of such drug which is contrary to the general agreement of medical opinion." But this is modified in S. 2000 to exclude opinions and make the advertisement fraudulent only if its statements are false and misleading per se. Under the bill the advertising of any drug to remedy serious, chronic, incurable ailments, listed therein, that should always be under expert medical care, is expressly forbidden. But the remedies could still be shipped interstate and sold if not advertised.

The advertiser wails that he should not be penalized just as long as he sticks to facts. An old farmer lady of my acquaintance replies that a fact is a lie and a half. A chorus of men adds to the discussion. These men are not acting in ancient Greek drama. They compose the United States Supreme Court. They have been called upon to consider a certain vinegar which bears on its labels devices and language intended to create the impression, by inference, that this is an apple cider vinegar. Strictly speaking this statement is true. It is not false because the liquid actually is an apple cider vinegar. But it is made from apple parings, cores and scraps, and the consumer is nevertheless led to believe that he is purchasing a vinegar made from whole, sound apples. The court says, however:

> The statute is plain and direct. Its comprehensive terms condemn every statement, design, and device which may mislead or deceive. Deception may result from the use of statements not technically false or which may be literally true. The aim of the State is to prevent that resulting from indirection and ambiguity, as well as from statements that are false. It is not difficult to choose statements, designs, and devices which will not deceive. Those which are ambiguous and liable to mislead should be read favorably to the accomplishment of the purpose of the act.

This plain, strong language indicates that the court banned the lie by inference. That is still the law of the land. That law would, under the Copeland Bill, apply also to advertising statements, and what is so wrong about that? If such statements are illegal on package labels, why should they be protected with the cloak of legality when they appear in general advertising?

The passage even of this somewhat weakened Copeland Bill would mark another inroad upon the private preserve of the unscrupulous manufacturers and advertisers who have long exploited humanity under the régime of a profit economy. That old system is fast crumbling. It can crumble still more rapidly if consumers interest themselves in the passage of this bill.

Neither the business and advertising interests nor private consumer organizations will effect this service. These strangely ill-assorted agencies are united in their opposition to the Copeland Bill. The first group demands a continuance of time-hallowed abuses, the second demands the immediate creation of Utopia by divine fiat. One group is reactionary and the other revolutionary. The Copeland Bill makes simply another step in the long evolutionary road toward that control of capital which will eventually make it provide 100-percent public service. The bill, menaced as it is by its avowed and its less candid enemies, the latter falsely posing as friends of consumers, deserves support from all who are interested in the more rapid progress of this evolutionary process.

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POETRY IN THE THEATRE

By EUPHEMIA VAN RENSSELAER WYATT

UNDER the dust of the centuries it had lain there forgotten—a little eighteenth-century theatre. It was built by Gustavus III for his lady, the sister of Frederick the Great; for Gustavus, thawing out his soul in the sunlight of Italy as all Swedes love to do, had run across a French architect, Despresz, whose imagination was commandeered for the northern court. But when the Napoleonic cyclone whirled the Swedish crown onto the soldier head of Bernadotte, the Winter Palace was dismantled and the Queen's Theatre slept undisturbed for over a hundred years just as the Queen had left it. Ancient machines for thunder; windlasses for celestial ascensions; benches reserved for the royal household; the backdrops painted from Despresz's sketches—the sketches themselves lay dustily waiting. Meanwhile outside in the world's great metropolitan theatres, the nineteenth century smiled contemptuously at the colonnaded perspectives of the Baroque period and arrogantly turned the glare of its new gas footlights on all the realistic deficiencies of its heavy gilt and plush interiors and swaying foliage, until electricity illumined for an astonished public the stark simplicities of Gordon Craig. Our century then began to see the drama replaced in the frame of architecture in which she had been born, and when the Queen's Theatre was discovered in the supposed lumber room of the Winter Palace in 1920, the royal playshop was quaintly in fashion.

Modern spectacles may be on vaster scale, but the most superb of our stage shows lack the unified beauty that must have graced those royal occasions when the theatre was the prerogative of kings and both audience and actors were equally resplendent. There were no paste jewels worn when Louis XIV danced in ballet; when the waxen footlights lit a stage set that was in complete harmony with the theatre's interior. It may have been hard to tell at Versailles where art impinged upon reality.

The very important International Exhibit of Theatre Art now shown at the Museum of Modern Art in 53rd Street, New York City, has been assembled by Lee Simonson from libraries and collectors and cupboards and desk drawers all over Europe. It is only a pity that Mr. Simonson's limited time prevented his including attics and scrapbaskets, for Picasso declared that he couldn't be bothered to hunt up his sketches and Derain decided his own were not worth sending. Even Geneva keeps Appia's inspired grisaille waters colors shut up in a portfolio and unknown to most of the visiting public. For the few who may still imagine that scenery is produced by carpenters and sign painters as in the days of the Academy of Music, I hasten to assure them that I would far rather own one of Mr. Robert Edmond Jones's black and white sketches than the majority of etchings, the weaker Whistlers not excluded. I defy you to find anything more deliciously decorative than the water-color designs for costumes in the English exhibit by Lovat Fraser, Wilkinson and Rutherston or Zinkheisen's character sketches for the Cochran revue! I predict that stage designs will soon become more precious to collectors than Japanese prints.

The exhibit covers five centuries beginning with Primaticcio, whom that arch connoisseur of the Renaissance, François I, imported from Italy to add beauty to the pageants at Fontainebleau when Diane de Poitiers smiled as a goddess. Mrs. Simonson has constructed a model of a street scene with the popular perspective from a tome on architecture by another of the Fontainebleau court artists, but in the cartoons of Inigo Jones lent by the Duke of Devonshire, one can trace the transition from the purely architectural background to the more romantic realms of fancy. The splashes from the scene painters' brush may still be seen on these charming sketches which embellished the royal masques for Henrietta Maria but which Ben Johnson considered too elaborate.

"Isn't it incredible?" remarked one young man standing before them, apparently overcome by this proof that there had been extravagant productions prior to Roxy.

Inigo Jones is representative of the nascent Baroque; it was the Bibiena family who brought the later and more complicated Italian Baroque to most of the courts and theatres of Europe. Vistas of arches, avenues of fountains, were the fashionable setting. Mr. Royal Cortissoz, however, recalls the Teatro Olimpico in Vincenza where Palladio built not only the theatre but the permanent stage set. This supplied the unity that enveloped the Greek dramas and the solid architectural background that Reinhardt has made so distinctive a feature of his productions outside the Salzburg Cathedral. This idea he also incorporated in his New York production of "The Miracle." Permanent backgrounds of architectural design have been used with tremendous effectiveness on our own stage in Robert Edmond Jones's "Hamlet" and "Richard III," Bel Geddes's "Hamlet," etc. In the exhibit there is a beautiful set of drawings by that Viennese who seems to have mislaid a vowel in his name —Strnad—in which incredible variety is achieved with different backdrops and curtains between two pair of towering columns. Gordon Craig's etchings for his Ideal Theatre are also compositions of modernistic architectural masses.

Though Italy and France led theatre art in the eighteenth century, Germany since then has been the pioneer and on her stage there is reflected all the development made in painting by the modern French masters. It was due to a German amateur producer, the Duke of Saxe-Meiningen, that the chromoed realism of the Victorian era was revolutionized by the inclusion of the actor as the most important feature in the stage picture. The Duke's sense of composition and his handling of crowds is said to have influenced greatly both Reinhardt and the Moscow Art Theatre. It was due to Appia, the Swiss, that light was added as an adjunct to the actor. A contemporary of Monet and Renoir, Appia studied the effects of light on the stage just as they did on their canvas; but Appia also added to the sweep of his settings, the

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rhythms that his friend Dalcroze was trying to inject into daily life. Appia's curves seem almost to be breathed into being by the violins of Wagner. The Wagnerian cycle would be clothed with new radiance could Appia's designs be seen on the stage of the Metropolitan instead of in the Museum in Geneva. Freeing themselves from the restrictions of three dimensional sets, the German artists have followed the lead of the Impressionist School, experimenting boldy with light and shadows. From impressionism—which, by eliminating detail, seeks to give a spontaneous picture—they are now turning to expressionism in which they attain atmosphere with symbols. Indeed, Heythum of Prague, with some pointed arches and the Lion of St. Mark does succeed in transporting one to Venice much more surely than many of the more elaborate sets. In the catalogue, Herr Merbach suggests that post-war economy may have been a compelling factor in this adaptation of surrealism to the theatre.

While Sweden lends some important impressionistic drawings by Grunewald and some very quaint designs for "Green Pastures" by Skawonius, Denmark, Italy, Hungary, Finland, Austria and even Latvia are all represented. Among the cosmopolitan group in Paris, Bakst's "Scheherazade" seems more atrociously overornate than ever, while one of his designs aptly placed by an Italian eighteenth-century interior, proves his debasement of the Baroque into a modernistic Roccoco. The most spectacular exhibit from our own artists is an "Aida" with colossal pillars by Bel Geddes which seems twice as sonorous as Verdi's familiar strains. This is shown in a miniature theatre. Even more exciting is "King Lear," placed back among the druids, with a flaring background of Stonehenge lit up with torches. Lee Simonson offers for "Hamlet" a donjon keep rising out of the night with battlements and flights of steps. Jo Meilziner shows his imaginative designs for "Yellow Jack," now in rehearsal. There are many of Robert Edmond Jones's beautiful studies for Shakespeare including his trial of expressionism in "Macbeth," with jagged arches suggesting the castle. One becomes proudly national to discover that O'Neill seems to have been added to repertory of most of the continental theatres and that the "Emperor Jones" shares an international popularity with "Hamlet."

It is both an exhaustive and also exhausting exhibition with its many stairs and keen interests but one comes away with the secret of where the poetry of our drama lurks—it is in the imagination of our stage designers.

Storm Clouds

Splendid like mountains made of misty pearl,
Onward the oceans move to the inland bourne
Of the vast and burning plains and the little roots
Of the thirsty corn.

Traveling oceans turned into flying hills,
Huge and thunder-freighted they drift and loom—
And yet they bring to the roots of the little corn
Life, and not doom.

E. Merrill Root.

COMMUNICATIONS

HITLER AND LUTHER

Tulsa, Okla.

To the Editor: On November 19, in the solemn celebration of the 450th anniversary of the death of Martin Luther, three thousand ministers, headed by Dr. Niemoeller, protested against the attempt of Herr Hitler to govern the Protestant Church in Germany. Hitler has succeeded in appointing Ludwig Mueller as Reichbishof in place of Dr. Von Bodelschwingh, who had been selected by the leaders of the church. It was a strange note in the solemn homage to the memory of Martin Luther.

Luther's revolt in the sixteenth century succeeded, in North Germany, through the adoption by his followers of the principle that the State should dictate the form of religion within its borders. It was the Religious Peace of Augsburg that planted the Lutheran Church on a firm foundation in Germany. Of this, Wolfgang Menzel who, with Heine, was one of the leaders of the Young Germany movement, which the Bund tried to suppress in 1835, writes in his "Geschichte der Deutschen" (volume II, page 270): "The religion of each country was rendered dependent on the caprice of the reigning prince; of this the Platz offered a sad example, the religion of the people being thus four times arbitrarily changed. . . . The principle was merely a result of Luther's well-known policy."

The doctrine of the divine right of the princes to rule by divine command, and so to control the conscience of their subjects, was the product of the German Reformation. Johan Kasper Bluntschli, the great Swiss jurist, long a professor at the University of Heidelburg, in his work on the theory of the modern State, "Lehre Von Modernen Stat," says that in the Holy Roman Empire the phrase *gratia dei* was used to express the idea that the prince ruled by the favor of God, not that he exercised on earth divine power.

"After the Reformation (Bluntschli, Oxford translation, page 291) the Lutheran theologians began to proclaim the saying of Paul, 'The powers that be are ordained of God,' as a Christian dogma; and to declare those in authority the anointed representatives of God. . . . They gloried in being defenders of the divine right of temporal princes. . . . Frederick the Great saw in this the fundamental error of European politics." The seventeenth-century Jesuits, under Bellarmine, combated this idea; and James I of England ordered such books to be burned by the common hangman.

When Dr. Mueller was consecrated as Reichbishof, the Archbishop of Canterbury refused to send a representative to his consecration, as a protest against Hitler's domination of the German Protestant Church. But the sixteenth-century Reformation in England, by which the Anglican Church was established, was based upon the Lutheran doctrine of the supremacy of the State in religious as well as civil matters.

In the real government of the Reich, Hitler the Chancellor, and not Von Hindenburg, the President,

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claims the power asserted by Wilhelm II. As in England the Supremacy of the Anglican Church is in the Privy Council's Committee ad Res Ecclesiasticas, not in King George V.

The official announcement, when Wilhelm attended divine worship was: "The All Highest will attend church to give thanks to the Highest." Wilhelm was head of the Lutheran Church. He was "Allhochsten." Hitler, not illogically, claims that if that "All Highest Power" was explicit in Wilhelm as Kaiser, it is implicit in him as Chancellor of the new Reich, the successor of of the old Reich.

The solemn celebration of the 450th anniversary of the death of Martin Luther takes on a strange aspect in Germany today. His followers join with the German Catholics in asserting the great principle which both Luther and Cranmer denied in the sixteenth century, and which Hitler and Stalin deny today: That there are limits to the power of the modern State. And that one of those limits is the threshold of the conscience of the citizen.

We have lost sight of the fact that one of the fundamental errors of the Reformation was political. To the reformers the civil governor was Pontifex as well as Caesar.

German Protestantism is at the parting of the ways; there is no *via media. Aut Pontifex aut Caesar.*

READER.

SOUND MEN AND SOUND MONEY

Omaha, Nebr.

TO the Editor: The editorial treatment of gold and the money question by THE COMMONWEAL on December 15 should help to clear up some of the common perplexities of the problem. To reduce the dollar's gold content is to raise the question of comparative justice, and if devaluation were to violate the principles of justice it would be clearly wrong to take this action. Your editorial helps us to answer this question. It calls attention to the fluctuations in the dollar's purchasing value. Devaluation, then, is not wrong because it is an action to make the dollar an honest measure of value and level off, as far as possible, its variations in purchasing power.

Gold will continue to be the very foundation of our monetary structure, and the gold standard will not be discarded, but modified for the better. The President wants to make certain, if he can, that this foundation shall remain unimpaired, and he would prevent timid owners of capital from breaking up this foundation and carrying away its parts. By restraining these selfish and desperate people, Mr. Roosevelt would save them from the consequences of their own reckless folly and ignorant belief that a few can prosper amidst universal ruin.

"Money," Shaw once wrote, "is the counter that enables life to be distributed socially. It is only when it is cheapened to worthlessness for some, and made impossibly dear to others, that it becomes a curse." An honest dollar will go a ways to remove this curse.

C. MCINTOSH.

THE SCHOLARLY PROFESSOR

Washington, D. C.

TO the Editor: Friends of the late Charles Phillips, a gentleman and a creative scholar, will read the letters in your column with a degree of sorrow. There is an unconscious criticism of Catholic universities. Dr. Phillips should not have been allowed to correct school boys' themes. That laborious work should have been done by a reader and his time husbanded for creative work. Our universities are penny wise and pound foolish. Able men are made administrators, and much of their work could be done by a capable stenographer. In every university there are a few men who by training, inclination and laboriousness are able to do research work, but their time is devoured by routine labors, a heavy schedule of hours, and a restricted salary which makes it necessary for them to undertake supplementary work to support their families. There is no retirement fund, there is no clerical assistance, there is no sabbatical leave. Small wonder there is so little output in the exact or social sciences and in literature. Small wonder there are so few known scholars in Catholic universities.

When one compares the position of the scholarly professor with that of the fourth assistant coach, one wonders if some drastic reform is not necessary. The head coach has a lavish salary, traveling expenses, a high powered car, a stenographer, and a reputation. He has built up a tradition of athletics—as character-building, as increasing enrolment, and as giving the college publicity. Of course his tenure is insecure unless he can satisfy the alumni. The present generation of students is disillusioned with subsidizing athletics. It comes to college to learn, to sit under able professors, and to prepare for the hard struggle which life is again offering. It wonders why the department of athletics has more equipment than the department of English and why the head coach has a salary equal to any four men in that department. Possibly Catholic letters and scholarship would benefit if the arts and sciences in our universities were as elaborately endowed as football. Possibly we would have professors whose reputations would cause them to be drafted as brain-trustees or as instructors in secular institutions. Possibly we would have scholarships and research fellowships instead of athletic scholarships disguised in euphemistic phrases.

ADOLPHUS KING, JR.

"DAYS WITHOUT END"

Saint Mary's College, Calif.

TO the Editor: On the enthusiastic recommendation of Mr. Skinner a friend presented me with a copy of "Days without End." I had read Mr. Skinner's criticism of the play and his glowing praise of it, poetic with comparisons of Mr. O'Neill to Dante and Saint Francis, so I began "this greatest drama since Calderon" with great expectations.

It is generally agreed among dramatic critics that the play's the thing. I wonder is it upon this principle that

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so many Catholics, and I include Mr. Skinner, have proclaimed Eugene O'Neill's "Days without End" a great play? As usual O'Neill is preoccupied with neuroses and psychoses. Unsuppressed desires and adultery are not new in dramatic literature. O'Neill treats them once again in his usual way—crude naturalism. Blasphemy and profanity are not artistic and a holy ending does not make them such. *In se,* these are rather fitted for the secrecy of the confessional, or if irrational, for the possible correction of the clinic, rather than for the theatre. La Bruyère said long ago that a man never vomits on the stage, though it is quite natural.

But John Loving differs from the protagonists of "The Emperor Jones," "The Great God Brown" and "Strange Interlude." He returns to Christ on the Cross, perhaps through Father Baird, a Catholic priest, though this good man is almost as static as a bronze Buddha. Now Catholics may draw pious reflections from this ending. Under the spell of O'Neill's masterly psychoanalysis they may hope to conclude that grace is verily moving his soul. But dramatic criticism, alas, is not occupied with grace in the soul. It searches for grace of style, literary and dramatic.

I am so blind as to see little of either in "Days without End." The dialogue is literally real—a court reporter could not be more accurate. The dramatic action is not manifest—the moving principle is not in the play.

God can perform a miracle. Has Eugene O'Neill rediscovered God or is the crucifix a *deus ex machina?* "Days without End" does not reveal this to us. We are glad the play ends as it does but are not convinced by the play that it should. It is not good drama to have a play without end.

JAMES L. HAGERTY.

RACE BETTERMENT

Canton, Ohio.

TO the Editor: In connection with Dr. Walsh's excellent article on "Race Betterment" appearing in the February 2 issue of THE COMMONWEAL, which I enjoyed reading immensely, I would like to make a few additions with reference to sterilization, if permissible.

May I quote the essential points as given in "The Report of the Committee on Mental Deficiency" as presented to the British Medical Association July, 1932? The only method of prevention they discussed was sterilization; as to the desirability of this the committee was uncertain, feeling that if this operation were universally applied to all feeble-minded persons, no reduction in the incidence of mental deficiency would be noted. This is because of the large numbers of unreachable carriers who could transmit the defect—the trend being transmitted as a multiple recessive complex of traits (Mendelian). The committee considers that this rapidly growing problem is generally overstressed, for it has found no evidence that procreation is excessive among the feeble-minded, or that the children in mentally deficient families who reach adolescence exceed those in normal families.

Even if those patients whose chief social danger is propagation, would be sterilized, the advantages would be uncertain because of the sexual promiscuity and over-activity with the consequent spread of venereal disease to which such a practise would lead. The trend of medicine is to restore function, not to destroy it. It is peculiar that very little, if any, support has been given the laity by the medical profession with regard to the economic aspect of sterilization. It would seem the medical profession in this country do not endorse sterilization or birth control—both are new rackets.

JOHN D. O'BRIEN, M. D.

END OF A PROTEST

Glen Ridge, N. J.

TO the Editor: I want to thank you, to thank you sincerely, for your editorial "End of a Protest." To the reader who perhaps may not recall this article, let me petition you to turn back to the issue of THE COMMONWEAL dated February 9, 1934.

There in one brief column is the sum and substance of the plight of one woman. She had no friends in her community. To use perhaps a slightly incongruous statement, the law and the people were both against her. She often reminded me, as I watched her hang those "dingy habiliments across the front yard," of the pioneer woman who, amid not the danger of a tomahawk but of stinging criticism, steadily went about her work.

You see, I live in Glen Ridge, and to me "Defiance Manor" had become a symbol of something that stood for justice where justice had not been done. I never was in sympathy with our borough fathers who had decreed that "thou shall not erect on thy domain an edifice for pecuniary gain." It was not fair, all things considered, and yet there were none to take her part. "Let it burn" perfectly expressed the sentiment of the town folk. That is why I wish to thank you, for you are the only one I know who has publicly expressed any sympathy, and perhaps just a shade of admiration for her ingenuity. I admired her, not perhaps for her method of aggression, but for her thorough conviction that she was right. In the heat of the battle the sporting element failed to consider this. I'm glad you did.

CHARLES G. EASON.

JUVENILE FICTION

Philadelphia, Pa.

TO the Editor: Yesterday I read in our Parish Calendar that the splendid sum of $2,900 was realized for the high school tuition payments, through last year's Lenten Sacrifice Plan: five cents a day for the forty days of Lent. Today I read in your February 16 issue a letter from Reverend Joseph McHugh, S.J., of Family, Montana, asking for Catholic fiction for his Indian boys and girls, and the thought struck me that many, if not all, of your subscribers, if they have not the books to send, might follow the same plan individually and each send his own amount to Father McHugh, either now or at Easter time.

ALICE C. DAVIS.

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THE PLAY

By RICHARD DANA SKINNER

Richard of Bordeaux

WILLIAM MOLLISON is responsible for bringing to Broadway another of those historical plays for which "Mary of Scotland" seems to have set the fashion. In the framework of some ten or more superbly executed settings by Dodd Ackerman, the author, whose pen name is Gordon Daviot, recounts many years in the history of the unfortunate English monarch who was the son of the Black Prince.

Richard of Bordeaux was otherwise known as King Richard II of England. He came to the throne as a very young boy toward the closing years of the fourteenth century. Probably the greatest achievement of the author of the present play is in making a character so remote from the present times seem both interesting and modern in implication. It is true of course that Richard of Bordeaux is associated with one of the first real labor rebellions of European history. He was, in his way, an idealist, a believer in peace, and a man who, if he had not been thwarted by the nobles who surrounded him, might have achieved a name for himself as one of the earliest of the liberal monarchs. He put down the labor rebellion of his day by the simple process of talking to the mob.

Circumstances decreed, however, that Richard's innate sensibility should be turned to bitterness and intrigue as a result of constant struggles with his uncles, the Dukes of Lancaster, York, and Gloucester, and with Henry Derby, the son of the Duke of Lancaster, who became Henry IV.

The present play leads us to believe that the best period of Richard's vigor and energy was inspired by the influence of his little wife, known to history as Anne of Bohemia. Her death in the Great Plague seems to have been the turning-point which left Richard in a mood to attack his enemies in a spirit of revenge. As usual, revenge defeated itself, and in the Civil War which ensued Henry Derby triumphed over Richard who was then sent to the Tower of London and forced to abdicate in favor of his cousin. The last scene of the play shows us Richard in the Tower during the scene of his abdication in which his bitterness is mixed with a kind of sardonic laughter at the thought of the troubles his successor must face.

The play, although not as distinguished in its writing as "Mary of Scotland," does succeed admirably in holding the attention of the audience and making Richard emerge as more than a pasteboard character. Dennis King has been allotted the rôle of this sensitive monarch, and plays him, in the external sense at least, admirably. A special word is also due Margaret Vines for her sympathetic interpretation of Anne of Bohemia. Henry Mollison, as Derby, so overdoes the swaggering arrogance of this young noble as to make him quite incredible at times. The production as a whole is marked by a lavish beauty of setting and costume. It is an obviously sincere effort to make the most of a not too easily understood monarch of the dim past. (At the Empire Theatre.)

A New American Opera

THE SEARCH for an American opera which will combine musical merit with box-office appeal has been a long one, and despite the fact that Deems Taylor's "Peter Ibbetson" and Louis Gruenberg's "Emperor Jones" have had a measure of success, no native work has shown marked vitality. But on the afternoon of February 10, the Metropolitan Opera Company presented, for the first time on any stage, Howard Hanson's "Merry Mount," an opera with a libretto by Richard Stokes based on Hawthorne's tale "The Maypole of Merry Mount," and the enthusiasm with which it was greeted by the huge audience was unequivocal. The composer, the librettist and the singers were brought before the curtain numberless time and greeted with not only applause but cheers.

Though the librettist has greatly developed and altered the Hawthorne story, the tale remains basically American. It is doubtful, however, whether the early Puritans suffered much from sexual repressions, and Mr. Stokes's chief figure, Wrestling Bradford, is a pathological case to say the least; but both composer and librettist have managed to extract drama out of his wrestlings with the devil. The story is the old one of Puritan against Cavalier, and is based on the fact that a Cavalier band did land in New England and set up a maypole at what is now Wollaston, Massachusetts. The Puritan settlers, horrified by the importation of any sort of joyousness, proceeded to attack the unwelcome visitors and, being victorious, threw down the maypole and dedicated the land henceforth to the spirit of Calvin. Mr. Stokes holds that their repressions are responsible for what the modern world dislikes in the spirit of early Massachusetts Bay. He has Bradford attack a Cavalier lady, and then tortured with remorse dream a dream, which in the opera becomes a ballet, of a sort of witches' sabbath.

The libretto gives the composer admirable opportunity for musical expression. In the choruses Mr. Hanson has shown a vitality and sonority of writing unequalled in any previous American work. They have their foreign influences, notably that of Moussorgsky, but his employment of old hymn tunes makes them after all his own. Charming too are the old English dances around the maypole, and the ballet music at the Hellish Rendezvous is effective, though rather more conventional in spirit. Unfortunately Mr. Hanson's writing for the individual singer is not as sympathetic. It is often labored and never inspired. Yet taken as a whole the score is admirable.

The performance on the part of the orchestra under Mr. Serafin's direction, and the chorus under Mr. Setti's, was superb; and most of the singers did their parts more than acceptably. Lawrence Tibbet as Bradford was excellent both vocally and dramatically, as was Louis d'Angelo as the Puritan elder, Marik Windheim as the strolling player, and Edward Johnson as Sir Gower Lackland. The weakest impersonation was that of Goeta Ljungberg as Lady Marygold Sandys. She was distinctly out of the picture dramatically, and scarcely a word of what she sang could be understood.

GRENVILLE VERNON.

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BOOKS

The Apostles

The Martyrdom of St. Peter and St. Paul, by Arthur Stapleton Barnes. New York: Oxford University Press. $2.75.

MONSIGNOR BARNES'S noteworthy monograph possesses a threefold interest: it gives a most instructive exposition of sound archeological method, as applied to the investigation of complicated data; it presents an absorbing historical account, as far as this can be reconstructed, of how the founders of the Roman Church suffered for the Faith; and, by showing how solid is the evidence therefor, it makes an important contribution to apologetics.

The documentary evidence, though not abundant, is early, and comes from widely different sources. It includes certain passages in the New Testament, which, interpreted in the light of other testimony, are of considerable weight. The monumental evidence, testifying to a universal and undisputed tradition, is, in the estimation of such an authority as Lanciani, overwhelming. Portraits of the two Apostles, in metal, glass and mosaic, of unvarying type and early date, have been found in abundance in Rome and in Rome only. As Monsignor Barnes says: "The existence of these portraits is by itself enough to prove, even if all documentary evidence and all tradition had perished, that these two Apostles had visited Rome and were both of them in some way closely connected with the imperial city." These portraits are, incidentally, our only authentic likenesses of New Testament figures.

All this testimony confirms what the author well calls "the collective memory" of the Roman Church, to which "appeal may be justly and rightly made." Nothing, indeed, but the needs of anti-papal controversy could have led anyone to deny that Saint Peter and Saint Paul lived and were martyred at Rome.

A large section of the book is devoted to the secondary but highly interesting problem of the Platonia, a structure adjoining what is now the Basilica of St. Sebastian on the Appian Way. For centuries this was a place of pilgrimage, venerated by numerous saints as the spot where the bodies of the Apostles had for a time rested. It is now a scene of utter desolation and neglect. Even the altar where Saint Philip Neri said Mass is dismantled and desecrated. And strange to relate, the responsibility lies, not on vandals or infidels, but on devout and learned members of the Papal Commission for Sacred Archeology! These misguided experts had accepted as unquestionable a supposed translation of the relics in A. D. 258 —a theory, by the way, which Monsignor Barnes himself upheld in an earlier book. Since their excavations showed no remains of the period in question, the archeologists concluded that the ancient tradition was baseless. Monsignor Barnes now shows that a removal of the Apostles' bodies from their burial places would have been both unnecessary and highly illegal, that the document on which the theory is based has been extensively ma

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NEXT WEEK

SUBSISTENCE HOMESTEADS, by Oliver McKee, jr., is a competent account of one of the great enterprises by which the government of the United States, functioning as the corporate will of the nation, is seeking to adjust some of the problems facing our people today. The trend from the country to the city has been reversed by the perfectioning of mechanical technique to such a degree that manufacturing in many cases no longer needs the great numbers of workers that were formerly employed. A social dilemma seemed to impend here, as agriculture also was producing a superabundance. Where were the economically disinherited, faced with this situation, to go? The present government instead of turning its back on them, is proposing a solution, one which puts into practical effect the rural industrialism advocated by President Roosevelt even before his election to his present office. . . . CATHOLICITY IN RENASCENT INDIA, by K. E. Job, declares "the Catholic Church and she alone can give the modern India its definitive, religious, intellectual, moral and social order. Outside the Catholic Church there is no theology, liturgy, devotion and literature rich enough to satisfy the spiritual hunger of India." . . . LATIN AND CULTURE, by J. C. Fenton, remarking that the ordinary Latin course is concerned with a few pagan products of the late republic and early empire, while works of vital import in the civilization of our western world written during a period of over two thousand years are neglected, finds in this the cause of the decline of Latin as a cultural study with resulting debasements in culture. . . . THE DAIRY INDUSTRY, by Reginald T. Kennedy, is a brisk and factual paper on a war-torn industry that gives an interesting cross-section of conflicting economic and social forces today.

pered with, and that the date 258 referred, in all probability, to the martyrdom of Saint Cyprian. The first century remains which *were* found in the Platonia confirm the ancient tradition that the bodies of the saints, immediately after their execution, found a temporary resting place there. The dates of January 25 and February 22, now the feasts of the Conversion of St. Paul and of St. Peter's Chair at Antioch, probably commemorated their final burials. The whole account, like that of Monsignor Barnes's plausible identification of a fragmentary inscription from the *Domus Petri,* next to the Platonia, has all the appeal of a good detective story, and sheds interesting light on the methods of archeologists who throw over tradition in favor of ill-considered theories.

It is certainly to be hoped that Monsignor Barnes, who has so amply vindicated the Platonia's claim to the veneration of the faithful, will influence the Roman authorities to repair the damage that has been wrought.

T. LAWRASON RIGGS.

New Light on Newman

Cardinal Newman and William Froude, F. R. S., A Correspondence, by Gordon Huntington Harper. Baltimore: The Johns Hopkins Press. $2.00.

AMONG the number of volumes the past commemorative year of the Oxford Movement brought into print, Dr. Harper's is easily outstanding. The largely unpublished correspondence which it offers touches searchingly upon Newman's mind at the most critical period of its development and presents also a rather extensive exchange of opinion with William Froude on the validity of religious and scientific proof. The remarkable personal friendship between these two eminently capable protagonists withstood time, separation, and complete divergence of opinion. The results of the duality of interest appear concretely in the conversion of Mrs. Froude and the three surviving children; and in the instigation and shaping of the "Grammar of Assent."

The scientific work of William Froude, brother of the tractarian, Hurrell, and of the historian, James Anthony, has repeatedly and as recently as 1932 received national recognition. The first section of the correspondence, up to 1845, was begun to relieve certain difficulties of William Froude; but Newman soon recognized that it was serving rather to clarify his own mind. It forms a kind of minor "Apologia"; some paragraphs Newman even used in that work. But as Dr. Harper indicates, there is this difference: the letters present an unadorned rationalization of his development. There was no questioning of his sincerity by these his trusted and confiding friends.

Newman realized his course of action would introduce trouble of a kind he too keenly appreciated into "families, as well as into individual minds." The struggles and decisions he revealed so intimately to the Froudes undoubtedly occurred to his conscience. As Dr. Harper recognizes, what might otherwise at times seem like proselytizing was prompted by Newman's desire to stress

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the outcome of his development: he felt Froude's difficulties were resolvable similarly; he wished to share his sense of security and spiritual calm with friends whose position he knew too thoroughly.

It is probable that Mrs. Froude was much more predisposed to Catholicism, and that she had more to do with the conversion of her children, than the correspondence brings out. The pathetic isolation of the father, as time after time he learned of the rejection by one of his family of principles he held sacred and defended in his discussions, Newman was fully able to appreciate. Also the progress of William Froude toward scepticism cannot have escaped Newman's understanding. He realized the impossibility of the middle ground, of the compromise, of the Anglicanism he had rejected. "It is a system which cannot hold anyone who thinks—it is a Church which cannot detain anyone who acts upon his thought. Thinkers go one way or the other" (July 14, 1849).

Though his discussions on religion and science began before the relationship became acute, before Darwin and Huxley, he understood fully the significance of the issues. Newman's efforts are extremely interesting as one of the earliest attempts in the period to readjust theological argument to the new and challenging scientific theory. Without an extensive acquaintance with Newman's thought, his decision, while admitting a process of proof similar to the scientific, to strike out on other lines, may seem strange. As Dr. Harper indicates, Froude's guarded assent to one of Newman's points may have been suggestive. However, the system Froude professed to hold would admit nothing more than the tentative on grounds that did not preclude the difficulty and moral certainty.

Dr. Harper's handling of the material he so fortunately obtained, his flexible and lucid prose, make his study very readable. His attitude is always one of sympathy and understanding. His presentation of Newman's process of proof is not always unquestionable, at times because of a momentary confusion of terms, as sympathy and emotion, difficulty and doubt, certainty and certitude. His work is decidedly a permanent and important addition to our knowledge of Newman and to the literature of the Oxford Movement.

RICHARD H. PERKINSON.

In Old New York

Thomas Dongan, Colonial Governor of New York, 1683-1688, by Rev. Thomas P. Phelan. New York: P. J. Kenedy and Sons. $2.00.

IN THIS splendidly printed little volume, Father Phelan of the Catholic Foreign Mission Seminary at Maryknoll sketches most appreciatively the career of the colorful Governor Dongan. As the essay is not intended for historians, but for popular reading, it does not demand meticulous criticism. Yet one can hardly subscribe to the generous association of the "Charter of Liberties and Privileges" with the Declaration of Independence and the Federal Constitution. Again, the writer would have found invaluable the doctoral dissertation on Dongan published (1930) by G. H. Kennedy under the direction

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of the department of history at the Catholic University of America as well as Edward Channing's appreciation in the *Proceedings of the American Antiquarian Society,* 1906 (volume XVIII, 336-345). Withal, Father Phelan has done a most interesting and readable book which will make one of the ablest colonial administrators better known to modern Americans.

As the youngest son of Sir John Dongan, Bart., who was a member of the Irish Parliament, the nephew of Archbishop Talbot of Dublin and Richard Talbot, Earl of Tyrconnell, and the brother of Walter Dongan of the Congress of Kilkenny and of William, Earl of Limerick, William Dongan was a leader of the Irish Jacobite aristocracy. A soldier under Turenne and a lieutenant-governor of Tangier, he was a man of action and of experience when he became the duke's governor of New York. Though instructed to see that the Book of Common Prayer was read on Sundays and that the Sacrament was administered according to the Church of England, he instituted a régime of toleration for his co-religionists, for Jews, and for Huguenots who were being persecuted in France. Regardless of its legality, he permitted a Latin school conducted by Jesuits. As instructed, he summoned a carefully restricted General Assembly which accepted or drafted the Charter of Liberties. He protected the colonial frontiers and he won the friendship of the Iroquois tribesmen with permanent advantage to the English in the inter-colonial wars. He recommended an inter-colonial port office and inter-colonial roads as a means of colonial consolidation. Unlike some colonial governors, he did not recoup his fortunes by acquiring huge estates or sacrificing the royal interests. Superseded by Andros, he retired to his Staten Island hunting lodge until the fall of the Stuarts when he returned to Ireland, later succeeding to the empty title of Earl of Limerick on his brother's death at St. Germain (1698). William of Orange recognized his title, but Dongan was unable to raise the necessary funds to redeem his Irish lands, so he lived in obscurity in London until finally he found rest in St. Pancras's Churchyard (1715). A sound Catholic and a true Irishman, Dongan sacrificed himself for the Stuarts, though he was not annoyed in his London retreat by William or Anne, or George I. In New York his fame has grown; and in a century and a quarter he actually had a Catholic successor in the governor's chair.

RICHARD J. PURCELL.

Poems from the Heart

Riddle and Reverie, by Leonard Feeney. New York: The Macmillan Company. $1.25.

THE TEAR and the smile in the eyes, which one of the world's best singers infused on the landscapes of Erin, are indeed a charming forefront for a poet's riddles, especially when his backgrounds are suffused with reveries. For the quick-witted riddles sparkle and shine for the moment, and then are gone; but the reveries, engaged upon thousands of similitudes in God's universe and man's little world, peer deeply into the heart of things and linger on; *sunt lacrimae rerum.* And, as

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Gaels in an Anglo-Irish idiom might say, that is how it is now with Leonard Feeney's book of thoughtful whimsicalities and wistful wisdoms—wisdoms, mind you, in the way the Victorian laureate wisely said, "Knowledge comes but wisdom lingers." And, moreover, that is how it has been with Father Feeney's muse this many a day, both in his prose and verse; and his townsful and his little townsful of readers know it well.

This new volume (why emphasize that it will be adding to Father Feeney's reputation?) will be a joy forever for the forever-young; for it is a thing of beauty; and every school boy has accepted what Keats affirmed of a thing that has that lasting quality. James Phillips in his "Crock of Gold" has snatches of song very akin to these Feeneyans; and Emily Dickenson sang to this manner born, scattering her postcards of whimsical quatrains around the lawns and yards of Amherst. But though Emily D. and James P. have the equivalent externals—the esthetics, shall I say?—they have escaped the vision of the inner meanings of things, the ethics, you might say, meaning that all things, whether an iridescent bubble or a star of the first magnitude, are only the hem of God's garment. (Joseph Mary Plunket saw His face in every flower, and Francis Thompson could hold eternity in an hour.) And Father Feeney with that same good common sense (why call it artistry and philosophy?) in his *cella continuata,* enjoys and sings the Jacob's Ladders that rise from the Broadways of our little planet, even as Thompson mounted the *Scala Santa* at Charing Cross.

Lacking space for adequate citation, I quote a little verse which envisages the innermingling of the above and the below, the unseeable angels and a very seeable man:

"The white invisible angels
We clothe in queer disguises,
In wings and snowy nightgowns
To suit our strange surmises.

"But how do they see in symbols
Of unethereal air
Old Puggy, our parish fat man,
Puffing his little prayer?"

And finally, if you are at all a mentor of this young Jesuit poet, you might urge him to give us occasionally in the staider forms of lyrism, for instance in the artistic restraint of sonnets and odes, his meditations out of Aristotle and Aquinas, out of Ignatian asceticism, and yet the simple roseate ardors of the Little Flower. His metrics are cutely versed, and true to the tunes that he does be humming at the time; but as his reader may not know the tune now and then, a line may occasionally appear to have arthritis, as medicos say, or again, in the parlance of autoists, a rhythm may seem to slip a cog. But Father Feeney's themes are ever his own, the derivatives are entirely from his own heart and mind; and, mind you, a welcome awaits more of his riddles and reveries in towns and little towns.

MICHAEL EARLS.

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Briefer Mention

Elizabethan Book-Pirates, by Cyril Bathurst Judge. Cambridge, Massachusetts: Harvard University Press. $2.50.

PAXTON'S invention naturally revolutionized the making of books, but it was not until Mary Tudor's reign that the economic and spiritual possibilities of the new craft became apparent. On May 4, 1557, the Stationers' Company was officially incorporated, probably less in order to create a guild of printers than to cut off the supply of books offensive to the Queen. Under Elizabeth the laws were made even stricter. Nevertheless piracy continued, occasionally for the sake of principle but generally for the sake of gain. Some famous villains in this piece led fairly adventurous lives, particularly Robert Waldegrave. The whole subject is dealt with in masterly fashion, but with the usual learned apparatus, by Mr. Judge. His is the most satisfactory contribution yet made to the study of Elizabethan book-piracy.

The New Church and the New Germany, by Charles S. Macfarland. New York: The Macmillan Company. $2.25.

LAST fall Dr. Macfarland, who is a former general secretary of the Federal Council of Churches, went to Germany in order to make a study of the religious situation there. During several weeks, he interviewed a great many people. The result is the present book. It is interesting because it relates what officials in the government were willing to tell the author, and it is valuable because it cites passages from several reports difficult to find in ordinary commerce. But as a picture of what the situation really is this book is disappointing. One doubts that a satisfactory treatise could be written in the way this one was. At any rate, Dr. Macfarland's is based on talk and not on facts.

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